













JOURNAL  
OF THE  
House of Representatives  
OF THE  
STATE OF GEORGIA  
AT THE  
REGULAR SESSION  
OF THE  
GENERAL ASSEMBLY

At Atlanta, Wednesday, June 24, 1908.



ATLANTA, GA.  
Franklin-Turner Company  
1908



# JOURNAL

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ATLANTA, GA.,

Wednesday, June 24, 1908.

The House met pursuant to the laws of Georgia at 10 o'clock a.m. this day in the Hall of the House of Representatives in the city of Atlanta, was called to order by the Speaker, Hon. John M. Slaton, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Brown of Oglethorpe,	Davis,
Adams of Elbert,	Buchannon,	Davison,
Adams of Wilkinson,	Burkhalter,	Dean,
Adkins,	Burwell,	Dickey,
Alexander,	Butt,	Donalson,
Allen,	Calbeck,	Dorminy,
Anderson of Bulloch,	Callaway,	Dunbar,
Anderson of Cobb,	Candler,	Duggan,
Ashley,	Chamlee,	Dykes,
Atkinson,	Clark,	Eaves,
Austin,	Clifton,	Edmondson,
Ballard,	Collum,	Edwards,
Barksdale,	Cook of Chat'hoochee,	Ellison,
Barrett,	Cook of Telfair,	Estes,
Barrow,	Cooke of Thomas	Fagan,
Bell,	Covington,	Flanders,
Berry,	Couch,	Flannigan,
Blackburn,	Cowan,	Foster,
Bond,	Crawford,	Fowler,
Bowen,	Crumley,	Fraser,
Boyd,	Culbreth,	Frier,
Brown of Carroll,	Daniel,	Fullbright,

Furr,	McMichael,	Slater,
Geer,	McMullan,	Smith of Calhoun,
Gibson,	McWilliams,	Smith of Campbell,
Glenn,	Martin,	Stephens,
Godley,	Massengale,	Stewart,
Goode,	Maxwell,	Strickland,
Guyton,	Mays,	Stubbs,
Hall,	Mercer,	Sumner,
Hamilton,	Moore,	Swilling,
Hardeman,	Morris,	Taylor of Appling,
Harris,	Mundy,	Taylor of Sumter,
Haywood,	Nix,	Terrell,
Heard,	Nowell,	Thorne,
Hill,	Odum,	Thurman,
Hines,	Orr,	Tift,
Holder,	Parker,	Townsend,
Howard,	Parrish,	Tracy,
Hubbard,	Payton,	Trent,
Huff,	Perry,	Tuggle,
Huie,	Persons,	Tyson,
Hullender,	Peterson,	Walker of Lowndes,
Jackson,	Pope of Brooks,	Walker of Milton,
Johnson of Jasper,	Pope of Dade,	Walker of Wash'ton,
Johnson of Jeff Davis,	Powell,	Ward,
Johnson of Towns,	Price of Bartow,	Warnell,
Jones of Meriwether,	Price of Oconee,	Watkins,
Jones of Mitchell,	Reid of Macon,	White of Madison,
Keith,	Reid of Putnam,	White of Screven,
Kendall,	Reid of Wilcox,	Whitley,
Kendrick,	Rogers,	Williams,
Lee,	Rountree,	Wilson,
Lively,	Russell,	Wise,
Lumsden,	Ryals,	Wootten,
Lunsford,	Shaw,	Wright of Floyd,
McCarthy,	Sheffield,	Wright of Richmond,
McIntyre,	Simmons,	Young,
McMahan,	Slade,	Mr. Speaker.

Those absent were Messrs.—

Atwater,

The following resolutions were read and adopted, to wit:

By Mr. Hall of Bibb—

A Resolution providing that the Speaker appoint a Doorkeeper pending the sickness of the present Doorkeeper of the House.

By Mr. Barrett of Stephens—

WHEREAS, Grover Cleveland, Ex-President of the United States, the greatest living Democrat, living forever in the hearts of the American people, this day departed this life,

*Resolved*, by the House of Representatives that in his death a great loss has come to the people of the world;

That the profoundest sympathy of this body is tendered his wife and family.

By Mr. Slaton of Fulton—

A Resolution extending the congratulations of the House to Hon. C. E. Dunbar on his recent marriage.

The following resignation of the chaplain was read:

June 24, 1908.

*To the Speaker of the House and Members:*

I hereby tender my resignation as chaplain, thanking the Speaker and members for courtesies.

My only reason for resigning is in favor of another applicant.

Very truly,

W A. PARKS.



The following resolution was read and adopted:

By Messrs. Martin of Elbert. Adams of Elbert, and  
Price of Oconee—

That the resignation of the chaplain be accepted and the Speaker appoint a committee of three to choose a chaplain for the present session.

The Speaker appointed the following members to choose a chaplain for the present session, to wit:

Messrs. Adams of Elbert, Blackburn of Fulton, Nix of Gwinnett.

The special committee appointed by the Speaker to select a chaplain for the present session through its chairman, submitted the following report:

*Mr Speaker:*

We, the committee, appointed for the purpose of selecting a Chaplain for the House during the remainder of the term, beg leave to report that we have selected Rev. M. H. Eakes of the County of Morgan, as chaplain for the remainder of the term.

This June 24, 1908.

L. H. O. MARTIN, Chairman.  
R. B. BLACKBURN,  
O. A. NIX.

The report was read and adopted.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

I am directed to report that the Senate has convened and is ready for business.

Also that the Senate has elected Hon. J. J. Flynt of 26th district to the position of President of the Senate to succeed the late Hon. John W Akin, deceased.

Also, that the Senate has elected Mr. L. W Reeves of Bartow county to the position of doorkeeper, to succeed the late Hon. F G. Grieve, deceased.

ATLANTA, GA., June 24, 1908.

The following message was received from his Excellency the Governor, through his secretary, Mr. Carter :

*Mr. Spcaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing.

June 24, 1908.

*To the House of Representatives:*

I herewith transmit to your honorable body certificates of election to fill vacancies that have occurred since the last session of the General Assembly, as follows:

For the county of McIntosh, Hon. F. H. MacFarland, vice W H. Rogers, resigned.

For the county of Walton, Hon. John W Arnold, Jr., vice Hon. N L. Galloway, deceased.

For the county of Rabun, Hon. C. E. Cannon, vice Hon. R. E. Cannon, deceased.

For the county of Pulaski, Hon. H. H. Wynne, vice Hon. S. A. Way, deceased.

For the county of Bartow, Hon. J. B. Crawford, vice Hon. W. J. Neel, deceased.

For the county of Laurens, Hon. L. A. Matthews, vice Hon. G. W. Williams, deceased.

HOKE SMITH,  
Governor.

The following members elect came forward and were sworn in as members of the House of Representatives, the oath of office being administered by the Hon. Wm. H. Fish, Chief Justice of the Supreme Court, to wit:

Messrs. F. H. MacFarland of McIntosh; Jno. W. Arnold of Walton; C. E. Cannon of Rabun; H. H. Wynne of Pulaski; J. B. Crawford of Bartow; L. A. Matthews of Laurens.

The following joint resolution was read and adopted:

By Mr. Candler of DeKalb—

That a joint committee of two from the House, and one from the Senate be appointed to wait upon the Governor and notify him that the General Assembly has met according to law, is duly organized and ready for the transaction of business.

By unanimous consent the following Senate resolution was read and concurred in, to wit:

A resolution appointing a joint committee of two from the Senate and three from the House to notify the Governor that the General Assembly had convened.

The Speaker appointed, in accordance with the above resolution, the following members of the committee on the part of the House: Messrs. Candler, Jackson of Jones, Duggan.

Mr. Hall of Bibb, moved to take up House Bill No. 18 for the purpose of acting on a Senate amendment thereto.

Mr. Whitley made the point of order that the motion involved a suspension of the rules, and could only come from the Committee on Rules, and was, therefore, out of order.

The Speaker sustained the point of order.

The following resolution was read and adopted, to wit:

By Messrs. Russell, Massengale and Fowler—

A resolution, that out of respect to the memory of the deceased members of the House who have died since the last session, that upon the reception of the report of the committee to notify Governor, the House adjourn until 10 o'clock to-morrow morning.

The following message was received from his Excellency, the Governor, through his Secretary, Mr. Carter:

*Mr Speaker:*

I am directed by his Excellency, the Governor, to deliver to the House of Representatives a communication in writing.

## MESSAGE

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STATE OF GEORGIA, EXECUTIVE OFFICE,

ATLANTA, GA., June 24, 1908.

*To the Senate and House of Representatives:*

At the beginning of this, your second session, I again commend to your favorable consideration the recommendations not yet acted upon which I presented on my inauguration twelve months ago.

Your first session was made memorable by the passage of three most important pieces of legislation.

First, the prohibition bill.

Second, the proposed amendment to the constitution of the State, fixing new standards for the right to register and vote in Georgia.

Third, the Act amending the railroad commission law, enlarging the powers of the Commission, and making that body a public service commission.

While I neither opposed or advocated the passage of the State prohibition bill, still I believe a majority of the white voters of the State approved your action in passing this bill. It should now be given a fair trial and I recommend that no effort be made by you to change it except to perfect it as a prohibition measure.

## DISFRANCHISEMENT ACT.

Under the terms of the Act providing for the amendment of the Constitution of the State fixing the right of franchise it might be held that a new registration of all voters would be required between the time of its adoption by the popular vote in October and the November election. I could probably withhold the proclamation of adoption until after the November election and thereby save this trouble. An additional paragraph, added to the Act, providing that the constitutional amendment shall not go into effect until January 1, 1909, would relieve any doubt upon the subject. I, therefore, recommend that another paragraph be added to the bill to be known as paragraph 10, expressly declaring that the constitutional amendment shall go into effect on and after January 1, 1909.

## THE RAILROAD COMMISSION.

The operation of our new Railroad Commission law has been most satisfactory.

On June 7, 1907, the Commission passed an order reducing passenger rates, the reduction to go into effect on September 1. This order was passed by a vote of two to one on the part of the old Commission, one of the Commissioners having voted against the order. The railroad companies petitioned the new Commission to revoke, or if they did not revoke, to extend the time limit of the passenger reduction. The new railroad commission declined to interfere with the reduction, and the re-



duction took place under the new law with the advantage which it gave for enforcement. But before declining the petition the new Railroad Commission gave an elaborate hearing to the railroad companies and acted on the reduction after being fully convinced that the reduction was fair and just to the railroad companies as well as to the public.

### ROADS FOUGHT LOWER FARES.

The reduction went into effect September 1, 1907. Bills were filed by a number of railroad companies seeking to enjoin the reduction of passenger rates ordered by the Railroad Commission.

*It should be a source of congratulation that no court has granted even a temporary restraining order interfering with the action of your Railroad Commission either in this or any other matter since the reorganization of the Commission.*

The bills brought by the different railroads to enjoin the reduction of passenger rates were set for hearing on the same day in different courts. The railroads companies were represented by numerous learned lawyers, especially skilled in such work. The labor of preparing at once to meet this litigation was urgent and great. By my request the Attorney-General took charge of the litigation in one court and the special counsel for the Railroad Commission took charge in another. I employed counsel to help each of the regular representatives of the State in the different courts and for general conference in the litigation.

I deem it of the utmost importance that the State when engaged in litigation should use all legitimate facilities for the preparation and presentation of the side of the people.

The fact that the rates are still in force is proof to sustain both the action of the Commission and the manner in which the litigation was handled.

### ADJUSTMENT REACHED.

None of these cases have been finally heard upon their merits. The Southern Railway Company not only yielded to the two and one-half cent per mile flat rate, but it also conceded a two and one-quarter cent family rate, a two-cent thousand mile ticket, good for an individual, and a two-cent two thousand mile ticket, good for five members of a firm, the rates to be interstate as well as local.

This adjustment was secured from the Southern in connection with a similar agreement made by it with North Carolina, South Carolina and Alabama and grew out of negotiations conducted by the governors of North Carolina, Alabama and Georgia.

The Atlantic Coast Line had been placed upon a two and one-quarter cent per mile flat rate. This railroad company was resisting the two and one-quarter cent rate fixed by the Railroad Commission, but it offered to adopt the rate fixed in the adjustment with the Southern Railway Company. The proposition was accepted by the Railroad Commission.

We have, therefore, a flat rate of two and one-half

cents per mile in all the States through which the Southern and Atlantic Coast Line run, good for local and interstate business, and we have also the five hundred mile two and one-quarter cent family rate, the thousand mile and two thousand mile two-cent rates in force over both of these roads good for interstate and State business.

The Central of Georgia Railroad Company is pressing its litigation resisting the two and one-half cent rate and a hearing will probably take place under this case.

### FREE PASSES ABOLISHED.

In connection with the reduction of passenger rates the Railroad Commission passed an order on October 29 forbidding after December 31 any railroad company under its jurisdiction from issuing or honoring free tickets or free passes for passengers. The Railroad Commission conformed this order so far as intrastate transportation is concerned to the rule prescribed by the Act of Congress forbidding free interstate transportation. On January 8 the Railroad Commission extended this order to all public service corporations under its jurisdiction.

This is a question which has occupied much time before the Legislature, and I can but believe that your honorable bodies and the public generally will regard the action of the Commission as a happy solution of the subject. While I am not in a position to give the exact figures showing the savings to the people of the State of Georgia by reduction in passenger transportation, it is reasonable to estimate that it will amount to not less than one million dollars a year. This will be just that

much left in the pockets of those who travel or else furnish to them an opportunity of doing just that much more traveling.

Nor has the reduction proved a hardship to the railroad companies. The increased travel and the cessation of free passes, it is believed, will approximately compensate the railroad companies for the savings which the order of the Railroad Commission will bring to the public.

I shall not undertake to present in detail all the benefits which the people of the State have received through the Railroad Commission under its enlarged powers.

The value of your law will show more clearly with succeeding months and years. Already the wise railroad men throughout the United States concede the wisdom and necessity of railroad regulation and supervision. The time will come, even in Georgia, when railroad officials will cease to criticise your laws and will recognize them as embodying the best of modern scientific and economic thought upon the subject.

### THOUSANDS OF CLAIMS SETTLED.

I wish, however, to mention the fact that while prior to last summer thousands of claims for overcharges and losses had been left by railroad companies to hang for months and years unsettled, now from all sides the information comes that a different state of things exists and that these just demands upon railroad companies are receiving prompt attention.

Let me also remind you of the importance of the power now vested in your Commission to prevent transportation companies from arbitrarily withdrawing trains and sidetracks. Had it not been for this increased power given last summer to the Commission the public in Georgia would have suffered at many places great annoyance during the past ten months from this source.

### LEGISLATION AND COMMISSION CONSERVATIVE.

While an effort has been made to create the impression that the legislation which you passed and the administration by your Railroad Commission under it has been extreme, and a great variety of offensive names have been applied to it, I wish most earnestly to declare that no justification has existed for any of these charges.

The honest financiers of New York City approved the public service bill passed in that State under the leadership of Governor Hughes. The bill which you passed is simpler and clearer than the New York bill, but no one can justly say that it extends to the Railroad Commission more power than is given by the New York bill to the Public Service Commission of that State.

Your Commission has been wise and conservative in the exercise of the powers which you conferred upon it.

We may rest assured that the impression created by the false statements, claiming unjust treatment of corporations in Georgia, will be fully eradicated in the near future as the truth is presented more and more fully to the public.

*Before closing this subject permit me again to call your attention to the fact that, unless the States perform their part of the task of supervision and regulation over corporations, the national government will absorb the entire power and centralization will follow at a pace so rapid that the reserve powers of the State will be greatly in danger.*

### PRIMARY ELECTIONS.

There are pending before you in more or less complete shape bills covering a number of important subjects to which I desire to especially call attention.

The Democratic primary is with us equivalent to an election. We wisely settle our differences in it and accept it as absolutely final.

*This being true, the public is entitled to know long in advance just when primaries are to take place. Their dates and plans should not be left to the caprice of party machinery. I urge that the Legislature fix by statute the time for the primary at which the Governor, State-house officers, judges, railroad commissioners and the legislators shall be named.*

Few will deny that an election should be held at as late a day as practicable before the officer elected is to assume the responsibilities which the people place upon him. It is also important that an officer offering for re-election should have had the opportunity to complete as nearly as possible the duties already resting upon him that his record in office may furnish a basis for his election or rejection by the voters.



To this end I suggest that the primary elections for governor, state-house officers, judges, railroad commissioners and members of the Legislature be fixed for some day sufficiently late after the adjournment of the Legislature to give an opportunity for the members of the legislature, as well as the others, to present their claims to the people subsequent to the second session of the General Assembly. It may be necessary also that the time for the general election be postponed and that the time for closing the second session of the Legislature be moved backward.

Under our present system the Legislature adjourns about the middle of August, and the regular election comes on the first week in October. There is not sufficient time between these two dates to hold a Democratic primary, and yet give the members of the Legislature an opportunity to go before their constituents subsequent to the adjournment of the Legislature.

### USE OF MONEY IN ELECTIONS.

In this connection, let me call attention to the serious danger to good government which may come from the payment of taxes by parties interested in the results of elections for voters too indifferent to pay their own taxes.

*A man who is not sufficiently interested in the selection of public officers to pay his own tax is not moved by that spirit of devotion to wise legislation and pure official conduct which fits him for the right of suffrage.*

When the taxes of a number of men are paid by interested parties and those men are carried to the polls and voted, it is really the money which is voting and not the individual citizen. Such a condition of affairs is dangerous to the State.

*I urge the passage of legislation which will make it a crime to pay the taxes or to furnish money to pay the taxes of men that they may register, and I urge furthermore, that the time of registration be closed sufficiently long before the time of an election to lessen the danger from the use of money in the way that I have described and to make it possible to thoroughly purge the registration lists before the date of the primary.*

I can not too strongly urge legislation which will free registration lists from the names of those not legally entitled to vote. Registration is now conducted in the most careless manner; men register without actually taking the required oath. They register at all kinds of places, and registration slips are reported to have been carried over counties by men not authorized to administer an oath.

*We must have honest elections in Georgia. We must start by keeping the registration lists above suspicion.*

### FOR PURE ELECTIONS.

Contribution of money by great corporations or by special interests such as liquor dealers' associations, to political contests, is debauching and utterly destructive of the best results which should be obtained from popular government. I suggest the passage of legislation which

will make such contributions illegal and punish severely those guilty of making them.

I recommend also that our laws be strengthened to check the use of money in political contests, even by candidates and their intimate friends. This can probably be best accomplished by naming the specific uses for which money will be permitted.

Let me also suggest that the judges of the superior courts should be required to specially charge grand juries with the duty of investigation to the end that parties violating laws for the preservation of the purity of the ballot-box may be indicted and brought to punishment. When the purity of the ballot-box is invaded the very foundation upon which we rest our plan of government is shaken and all hope for the preservation of the rights of the people is broken down.

Good government can only come through the patriotic expression at the ballot-box by the individual voter of his unbiased opinion as to what is best for his county, his State and his nation. Believing earnestly in the soundness of the views thus generally presented, I submit them with the hope that your wisdom will find a way to work out the details.

### IN REGARD TO LOBBYING.

Coming over from last summer's session there are pending before your bodies bills intended to define lobbying and to prevent the effort to control legislation by political influence.

The presentation at public hearings of facts and argu-

ments by parties interested in pending legislation should be helpful. The work of the political agent who seeks to control legislation by bringing men from different parts of the State to use personal influence on individual legislators can not be too strongly condemned. I earnestly hope that you may be able to perfect a bill satisfactory to both houses which will limit the work of men employed to serve interests in connection with legislative matters. Men so employed should be compelled to make their employment public, and their action should be limited to appearance at hearings of committees and sub-committees of the Legislature officially appointed for such purpose.

### FINANCES OF THE STATE.

The prohibition bill reduced the revenues of the State for the present year approximately \$250,000. You were at the same time called upon to make an additional appropriation of \$42,716.65 to meet the amount due to those pensioners who had received nothing prior to your session during 1907. We were behind about \$250,000 in the payment of current liabilities when you met last summer.

The Governor and the Comptroller-General, in view of this condition of the treasury, deemed it advisable to fix the tax rate at five mills. This was an increase of two-tenths of a mill above the assessment for 1906, but a comparison of the five mill rate with rates of taxation fixed for previous years shows that the five mill rate has been exceeded a number of times during the past ten years. The increase was only two-tenths of a mill. This involved

an increased payment of taxes amounting to twenty cents for each thousand dollars, that is to say, a man who returned his property at a thousand dollars and paid taxes thereon had his taxes increased twenty cents. A man who returned his property at five thousand dollars had his taxes increased one dollar.

### TAXATION OF RAILROADS.

For a number of years past, the Comptroller-General has been assessing the property of railroads and public-service companies at considerable more than the figures on which they finally paid taxes. Since your adjournment last year again his assessments exceeded the returns made to him by public-service corporations. The Comptroller-General having been unable in a large number of cases to agree with these corporations upon a fair return of their properties, arbitrations became necessary.

Regarding it of the utmost importance that the facts should be brought out before the arbitrators I requested the Attorney-General to appear in person and represent the State, and sought to obtain for him such information as was possible with reference to the values of the properties. As a result the State collected from this class of companies in the fall of 1907 \$617,790.86, making an increase of \$172,713.14 paid by them as taxes to the State over previous years.

The increased taxes paid by this class of companies in the fall of 1907 to the State, counties and cities of Georgia amounted to \$571,717.96. These figures are approximately correct, a portion of the same being based upon

estimates furnished me by the Comptroller-General. Yet it can be safely said that none of the properties of these corporations were assessed at anything like their market value.

*In this connection I desire to urge upon the Legislature the importance of abandoning our present crude plan of tax assessment and of giving to the State an intelligent system of tax equalization applicable to all the property in Georgia subject to taxation.*

### GEORGIA ROAD LITIGATION.

The litigation between the State of Georgia and the Georgia Railroad and Banking Company, and the Central of Georgia Railroad Company over back taxes due by these companies for their holdings in the Western Railway of Alabama, has been heretofore frequently brought to the attention of the Legislature. The Supreme Court of the United States, since your adjournment, overruled the decision of the Supreme Court of Georgia, and held, in effect, that no legal mode was provided in our State for the collection of taxes upon property not returned for taxation.

I bring this matter to the attention of the Legislature, and urge the necessity for action at the present session to meet the decision of the Supreme Court of the United States, and to provide a constitutional plan for the collection of such taxes. Since that decision was rendered the State has adjusted this litigation with the Georgia Railway and Banking Company for the sum of \$79,-625.43 to the State.



The litigation is still pending between the State and the Central of Georgia Railroad Company for taxes due by this company for its holdings in the Western Railway of Alabama.

## REVENUE OF THE STATE.

A careful study of the revenue which you have provided for the present year, and of the appropriations which you have already made, indicates clearly that your appropriations will practically consume the entire revenue of the State.

I have also examined your appropriations for the year 1909, and the probable revenue of the State for that year, and I am compelled, also, to inform you that, with the best information I can obtain, you have already appropriated all of the revenue of the State for 1909.

If additional appropriations are to be made it will be necessary to find a means of raising additional revenue. The only exception that I can make to this statement grows out of the collection to which I have already referred of back taxes from the Georgia Railroad and Banking Company.

## GEORGIA RAILROAD TAX CASE.

Litigation has been pending, off and on, for years between the State and the Georgia Railroad and Banking Company, growing out of a provision in its original charter upon the subject of taxation. There will prob-

ably be heard this fall before the Supreme Court of the United States the case between that company and the State, in which I hope a decision may be rendered which will define the State's right to collect taxes from it.

The State contends:

First, that a correct construction of the original charter of the Georgia Railroad and Banking Company exempted only the stock of the company from taxation.

Second, that if this view is not sound, still the investment other than the original capital is subject to taxation. Success even to this extent would subject \$9,000,000 of property belonging to this company to taxation.

We should seek no injustice to railroad companies, but they ought to bear their part of the burdens of government. They ought not to be relieved from taxation, leaving thereby extra burdens upon the private citizens, unless clearly exempt by contracts binding upon the State.

#### WESTERN AND ATLANTIC RAILROAD.

Some time last year the Southern Railway Company made claim to an interest in the valuable terminals of the Western and Atlantic Railroad located at Chattanooga.

The Attorney-General and the Governor gave considerable time to examining this claim and to other property rights of the State located in Atlanta and Chattanooga, and between those points. It was clear to both that the interest of the State required some one to give several weeks to an investigation and study of these questions. The Attorney-General is constantly engaged with the vast

amount of work which devolves upon him in connection with the ordinary duties of his office. Finding it impossible to make that continued study of this question which its importance and details required, on the 12th day of March he requested me in writing to employ some one who might do this work. Aware as I was of the study which Hon. Hooper Alexander had given to matters connected with the State road, I employed him to represent the State, to make an investigation and report upon the claim of the Southern Railway Company to an interest in our Chattanooga terminals, and upon other property rights of the State connected with that road which were involved in claims by other companies.

I have received a draft of this report, and I will submit the same to the Legislature as soon as I can obtain it from the printers.

#### GEORGIA'S CHATTANOOGA REAL ESTATE.

The State owns property at Chattanooga worth several million dollars. An offer has been made to rent a portion of it for ninety-nine years at a net rental to the State of four per cent. on a valuation of \$4,000,000. I have no doubt that before the close of the present lease, this property can be rented at five per cent. net on a valuation of \$5,000,000. This does not include the space actually used by the State road for terminals, nor does it include property worth nearly as much more held by the Nashville and Chattanooga Railroad, which belongs to the State unless the statute of limitation has placed a bar to the recovery of it by the State.

The city of Chattanooga is insisting upon extending a street through this property. The State claims that by prior contracts the city of Chattanooga is prevented from urging any right to open the street by condemnation procedure.

I still believe the State should at once acquire property somewhat further out from the center of the city of Chattanooga for the enlargement of terminals for the road. It should also acquire property to connect the State road with the Tennessee river. This property can now be obtained at a small cost; wait ten years and the construction of houses and other improvement might make its acquirement most expensive, if not impossible.

I suggest that authority be given some one to close purchases for what the State requires and to negotiate with the city of Chattanooga with reference to an extension of the street to which I have just referred. This courtesy seems due to the city of Chattanooga even though the Legislature determined to decline allowing the street opened.

### STATE ROAD EXTENSION.

*The extension of the State road is a subject which can not escape public attention.*

*The road should be built to deep water before the termination of the present lease.*

Touching the Atlantic Ocean at one end and the Tennessee river at the other, with the rapid improvements that are now being made upon the Tennessee river, it

will enable Georgia's own road to furnish a means of transportation from the Mississippi river and its tributaries on the West to the Atlantic Ocean on the East. This accomplished, the commercial freedom of Georgia can be made sure, and its effect upon the future growth of the State can scarcely be estimated.

The way which commends itself to me for the construction of the road is to issue State bonds, which, at three per cent. interest, could be sold for par, use the convicts for grading and build it at the lowest possible cost with the least possible interest charges.

Such a road could be disposed of under lease for more than the interest on its cost, and with the growth of the State, it would be an ever increasing asset to help lift the burdens of taxation from the people, or furnish better educational facilities for our children. It would also furnish an effective power to protect the people of our State from excessive interstate freight charges.

#### TREASURER AND COMPTROLLER.

The salaries and clerical forces connected with the offices of State Treasurer and Comptroller-General were fixed by the Constitution of 1877, adopted more than thirty years ago. The business of the State has enormously increased since that period, and neither the salaries or the clerical forces of either of these offices are at all adequate to the responsibility or the character of the work.

The Legislature has seen fit to add the duties of the

office of Bank Examiner to the State Treasurer and of Insurance Commissioner to the Comptroller-General. The policy of the Legislature in pursuing this course has been undoubtedly in part due to a desire to furnish these two officers a larger force and make it possible for them to earn salaries more in keeping with their labors and responsibilities. I recommend that the Legislature consider the advisability of constitutional amendments giving to the State Treasurer and Comptroller-General adequate salaries and forces sufficient to do the work of their respective offices. I recommend also for the consideration of the Legislature the creation of a distinct office of Bank Examiner and a distinct office of Insurance Commissioner.

We may not be ready for these changes just at present, but they must eventually take place.

### BANKING SYSTEM DEFECTIVE.

Our banking laws are defective. They are a medley of our old banking laws passed before the war when our banks were banks of issue, and subsequent amendments and changes in no sense creating a homogeneous system in accordance with present needs. Our saving banks laws are far behind the demand of the State upon this subject.

While our insurance laws are not so defective, yet there is substantial room for improvement, and they ought to be modelled after those systems of insurance laws which have been tested by experience and have been proven to be effective.

This is a work too extensive for the ordinary service of

a Legislator. It can only be accomplished by a commission. My own suggestion would be that two commissions be appointed, consisting of three members each from the present Legislature, one of whom will be in the next Senate and two of whom will be in the next house. These respective subjects might be referred to these commissioners with the duty of working out legislation to be submitted a year hence.

In the meantime, however, I must call your attention to the fact that the present Act calling for bank examinations does not furnish an adequate expense fund to cover a thorough system of supervision and regulation.

If the State does not intend to give a supervision and regulation of State banks upon which the public can rely, the State should not mislead the public by creating the impression that it is doing so. The supervision and regulation should be complete or it should be abandoned altogether. Then the public would understand the situation. Men can not be employed sufficient in number and with sufficient skill to do the work for the amount now collected under the present Act.

#### PROTECTION OF RAILROAD EMPLOYEES.

At your former session I urged that it was unjust to free railroad corporations from liabilities in those cases defended upon the ground that the injured employee knew of the negligence of the company, and assumed the risk of such negligence.

An employee often knows of a defect known also to his superior officer. The rule which would deprive him

under such circumstances of the right to recover is hard. I suggest legislation to do away with it.

On April 22 of this year an Act of the Congress of the United States was approved, known as the employers' liability Act. It enlarged the rights of employees of railroad companies to recover for injuries when employed upon trains engaged in interstate commerce. I suggest the extension of the right of this recovery to employees of railroad companies when engaged in work other than interstate.

### SUITS BY SHIPPERS.

Section 2334 of our Code, as construed by our courts in *Brooke vs. Louisville & Nashville Railroad Company*, 60 S. E. Reporter, page 218, and cases there cited, in some cases prevents the recovery by a shipper of his just damages to his property against the carrier causing such damages because it is impossible to prove the particular county in which the cause of action originated. This injustice should be remedied, and I recommend for your consideration an amendment to the section by adding as places where suit may be brought the county of the principal operating office of the carrier, and any county through which the damaged freight moved, and in which the carrier has an agent.

### REQUISITIONS FOR FUGITIVES.

I beg to call your attention to the practice that seems to have grown up of recent years whereby a fee is charged by certain states for granting requisitions for



fugitive criminals. Of the 46 States of the Union, fees ranging from \$1 to \$5 are charged by twenty-seven states for this service. Quite a number of them charge a reciprocal fee; that is, they charge the same fee that other states charged them, and if the other states make no charge then no fee is required.

I do not favor making a fee one of the conditions upon which the requisition is granted for a fugitive criminal, but inasmuch as a fee is required by more than one-half of the states, I believe a law should be enacted authorizing the Governor to make a reciprocal charge against those states that charge us, and I therefore recommend the passage of such a law.

### THE STATE CONVICTS.

A most serious problem which will confront your body is the disposition of the penitentiary convicts. You will find the report of the Prison Commission full of valuable information with reference to the present condition of the convicts.

As a general proposition the whole system is unsound, in that it too nearly stamps all criminals alike and provides no plan for their reformation. I regret that I am not in a position to point out that proper plan of handling convicts which would prevent competition with free labor and bring to their confinement a wholesome effort to reform as well as punish them.

It will be necessary to provide additional revenue for the State before you can change your mode of handling convicts. We have already reached the tax limit pre-

scribed by the Constitution. I am unable to point out a way by which expenditures can be increased unless revenue is also increased.

## THE REFORMATORY

I wish especially to call your attention to lack of reform methods at what is termed the reformatory at Milledgeville. That institution can hardly be considered more than a farm at which young convicts are confined.

## MISCONDUCT AMONG WARDENS.

Since your adjournment, criticisms were brought to my attention by members of your penitentiary committee, involving the conduct of the chief warden of the penitentiary. I promptly brought this matter to the attention of members of the prison commission, and shortly thereafter I learned of the resignation of the chief warden. Since that time this place has not been filled by the prison commission.

I also learned that deputy wardens in the penitentiary had received compensation from lessees, as well as from the State, thereby ceasing to be exclusively the representatives of the State and becoming the representatives of the lessees as well as the State. I brought these charges to the attention of the prison commission, and am advised that strict directions have been issued to prevent such conduct in future.

## MISDEMEANOR CONVICTS.

There is a class of our criminals convicted of misdemeanors, who are leased out to private individuals. No State warden is located at their camps or supervises them. I seriously doubt the legality of such transactions.

Some provision should be made for misdemeanor convicts from those counties which do not work their convicts. Especially is it important that women convicted of misdemeanors should be confined in a mode less objectionable than at the present. It might be well to provide that they should be sent to the farm at Milledgeville. Committees of your own bodies have visited various convict camps. I urge a more watchful care in the supervision of convict camps.

## DEPARTMENTAL REPORTS.

You will have before you the following official reports:

Secretary of State.

Comptroller-General.

State Treasurer.

Attorney-General.

State School Commissioner.

Commissioner of Agriculture.

Railroad Commission.

Prison Commission.

And also reports from such other departments as the law requires to be submitted annually.

You will also have before you reports from the various visitors to State institutions. I commend them and the

recommendations which they contain to your careful consideration.

### EDUCATIONAL MATTERS.

As we dwell upon the responsibilities of the present we must realize that the future of our State and people will depend greatly upon the educational facilities furnished to our children. An educational system can not be perfected by confining it to a single class of schools. It must be broad and comprehensive, but for no part of the work should our zeal lead us to greater enthusiasm than the common schools of the State. A large proportion of the children of Georgia are found in the rural sections and the development of our rural schools is of the utmost importance. I rejoice that we furnish them this year \$150,000 more than ever before and that the appropriation is being promptly paid.

The different educational associations of Georgia have recommended a change in our State Board of Education so that the same shall be composed in a large part of practical educators, men thoroughly familiar with the needs and responsibilities of the work. I most cordially recommend legislation which will make the State Board of Education consist in a large part of teachers. If the members other than ex-officio members are to be six in number, half of them should be county school commissioners or teachers engaged in rural work. Such a board wisely selected would understand the needs of our schools far better than professional or business men, legislators or State house officers. Upon this board we will have the services of our present State School Commissioner.

A board composed of able educators can be trusted with large discretion and upon them the responsibility of building our common-school system could be safely conferred.

### QUESTION OF NEGRO TEACHERS.

I wish in this connection to call your attention to the opinion of those in the State School Commissioner's office that the law requires the same examination to be given applicants for teacher's places in negro schools as is required of applicants for places in white schools. I think this is a mistake.

*In developing our educational system we should not be afraid to recognize the vast difference between the white and negro races. I do not believe that the average negro receives much help by learning out of books. A large majority of the race will be found for generations capable only of manual labor. The negro child should be taught to work. He should be inspired with a desire to do that for which he can be best fitted and we must recognize the truth that labor in the field is his best opportunity.*

I recommend that the State Board of Education be given authority to determine what class of examinations shall be given to the respective applicants for teachers' places so that the negro teachers may be selected on account of their capacity to teach the young negroes to work, and to inspire them, if possible, with a willingness to work. I believe in practical training for all schools, but especially do I urge the importance of making the negro schools give prominent attention to labor.

## RURAL SCHOOLS.

The rural schools for whites should be greatly improved. This must be done with better schoolhouses and better teachers. About one-fourth of our teaching force retires from the school-room each year. Our educational system should include facilities for preparing men and women to take their places.

## AGRICULTURAL SCHOOLS.

Eight of the eleven district agricultural schools are now in operation. It has been my good fortune to visit a number of them. They have been somewhat handicapped by the course pursued in their location. In a number of instances larger subscriptions have been made to the schools than were subsequently paid. Several of the schools are, therefore, not out of debt for the construction of buildings. No fund was provided for properly equipping them. Nevertheless they are, as a rule, doing good work, and if we properly sustain them they will prove as great a blessing to our State as similar schools have in other States and countries.

We ought to give to each school ten thousand dollars to be used in equipment. Not only may we hope by these schools to greatly increase the productiveness of the soil of Georgia but from them into our rural schools will go many of our best teachers of the future. The teachers of our normal schools are largely called to city schools. A graduate of an agricultural industrial school should be far better prepared to handle a rural school than a graduate

of a city school. A teacher, to develop the mind and character of a child, must comprehend those things which surround the child, and should be prepared to help the child's mind to develop, observe and to use the possibilities of life about him, and I wish to emphasize the fact that our district agricultural schools would be looked to as the means of furnishing teachers for our rural schools. The time should soon come when the number of these schools will be doubled and they will thus be brought close to each locality.

### CLAIMS AGAINST THE SCHOOLS.

The property used for our eleven district agricultural schools was required by an Act of the Legislature to be conveyed to the trustees of these schools. The property thus became the property of the State. Those who hold claims for the construction of the schools or for material used in their construction are seeking to enforce their unpaid balances against the property. It is probably that this can not be done, but a great injustice will be placed upon the creditors of these schools unless the Legislature either provides for the payment of their bills or authorizes them to proceed against the property. It would be unfair for the State to take these properties, and leave the contractors or material men or laborers who have erected or furnished the material for the buildings with their claims unsettled.

## STATE AGRICULTURAL COLLEGE.

The building for the State College of Agriculture is nearing completion, but the faculty of the State College has been actively at work without waiting for the new building. They have been engaged in university extension work all over the State, writing to the people, furnishing information, and serving them in many valuable lines.

The president of the State College of Agriculture arranged with the railroad companies of Georgia for an educational train early during the present year which I believe has been of great value. The railroads furnished the trains, the State College of Agriculture furnished the exhibits and the lecturers, and the train of lecturers and exhibits traveled over the State, visiting a great number of points, opening the exhibits to the study of those who desired to see them, while Dr. Soule and other lecturers discussed educational problems.

I believe that this has been a great work, and I trust that it may be continued in the future.

This new institution should receive support. It is capable of great benefit, not alone to the farmers, but to all the people of Georgia. It is already a great experimental station, and it is the first time that those engaged in agriculture will turn to the State College of Agriculture for information upon novel and troublesome questions. It would be wise to consolidate the experimental station now at Griffin with the State College of Agriculture. It would be only fair to Griffin that some recom-



pense be given in return for the liberal subscriptions made by her citizens if the experimental station is removed to Athens. A twelfth agricultural and industrial school might be situated at Griffin. The land is excellently suited to the purpose, and from such a school the people of Griffin would receive even larger returns than from the experimental station.

By consolidating the experimental station with the State College of Agriculture waste in work will be saved and larger results obtained from the joint expenditures. It would not be necessary to lose the benefit of the service of those now connected with the experimental station. The force might be transferred to the State College of Agriculture, increasing the teaching power of the college as well as increasing the number and value of experiments which can be made.

I commend especially to your consideration the able report of the State School Commissioner.

I do not dwell upon your other educational institutions because their work is well known and their worth appreciated.

But more money is necessary for the State College of Agriculture and the district agricultural schools.

I trust you will not fail to provide the funds for their support.

#### BRIGHT OUTLOOK FOR FUTURE.

As you are aware, at the time of your last session, serious financial disturbances existed in New York City

and in other parts of the country. These disturbances, due as they were to misconduct on the part of men who held high offices in large corporations, gradually spread throughout our country and reached even to foreign countries. Men were thrown out of employment in New York City, New Jersey and Pennsylvania, in New England and in the Western States. Although Georgia's fields had produced great crops, and for a while our manufacturing interests continued unaffected by the troubles from which those residing in many portions of the country were suffering, finally the lack of demand away from Georgia for our manufactured products affected the markets of many of our industries.

A number of cotton factories were compelled to run on short time and lumber mills suspended operation. Some of our railroad companies, apparently without just reason, discharged their men and lessened required activities.

It is a source of gratification for us to know that this injury to our industries was in no respect due to legislation which you passed or to causes originating in Georgia. It is also cause for rejoicing that the South suffered less than other parts of the country, and that Georgia suffered less than any other Southern State. We have had fewer men out of employment and fewer failures than in other parts of the Union.

For some time past it has been evident that the conditions which caused the financial disturbance had been removed, and that the whole country was passing through a gradual but certain state of recuperation. We can look

to the future with confidence, and our people may well realize that this is a section upon which the Almighty has with lavish hand bestowed His richest material gifts.

Let us labor for the development of those resources and have always in view the fact that our own children should be trained to use them, but that a birthright should not be bartered for a mess of pottage. We will guarantee to all investment, domestic or foreign, absolute security here, but we should not be led by the desire for immediate material growth to give away privileges carrying unjust burdens for the future years.

While presenting these facts and views for your immediate consideration, I shall shortly furnish you further information upon other subjects.

HOKE SMITH, Governor.

## APPENDIX A

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In accordance with the requirements of section 5815 of the Code, I herewith submit report of all reprieves, commutations of sentences and pardons granted to June 10, 1908, the Prison Commission having in every case recommended the same, unless otherwise stated.

### PARDONS GRANTED.

CHAS. J. WHITE.—Keeping a Gaming House. Superior court of Chatham county, July term, 1906. Six months in jail and \$500 fine, with additional six months on failure to pay the fine. Since his trial it has been shown that he was only an employee, his principal at the time was undisclosed, but has since been convicted. Granted July 12, 1907.

JAS. L. BLAKE.—Burglary. Superior court, Chatham county, spring term, 1907. Sentenced to reformatory. His father desired to place him in St. Mary's Industrial School, near Baltimore. Granted July 12, 1907.

A. T. DASHER.—Simple Larceny. Superior court of Lowndes county, November term, 1902. Three years in the penitentiary. Defendant served his term and has since lived an honorable, upright life, and desired to have his disabilities removed. Granted August 17, 1907.

WILL WALKER.—Vagrancy. City court of Atlanta, October term, 1907. Twelve months on the chaingang. Defendant stated that he had been at work for a firm of railroad contractors, which has since been found to be true. Granted October 19, 1907.

TOM ODUM.—Drunk on a Public Highway. City court of Atlanta, fall term, 1907. Three months in jail. The judge certifies that since the trial he has learned that he was not drunk on the highway. Granted October 21, 1907.

J. S. WALL.—Voluntary Manslaughter. April term, 1906, superior court of Richmond county. Ten years in the penitentiary. Facts developed since the trial show that defendant acted in self-defense. Granted October 21, 1907.

L. D. STRONG.—Voluntary Manslaughter. Superior court, Bibb county, spring term, 1907. Three years in the penitentiary. There were no eye-witnesses to the killing. Defendant claimed that he killed deceased in defense of his sister's honor, and after insulting language had been used to him by deceased. Granted October 17, 1907.

MRS. MARY HOOPER.—Selling Whisky. Superior court of Hall county, July term, 1907. Defendant sentenced to twelve months on the chaingang. She is seventy years of age and served more than three months. Previous good character. Granted December 4, 1907.

JOE SCHMIDT.—Vagrancy. City court of Atlanta, September term, 1907. Six months in jail. Served all but one month of his term. Granted January 10, 1908.

CROCKETT JORDAN.—Seduction. Superior court of Marion county, October term, 1903. Five years. Served two years. Pardon urged by county officials and many good citizens. Granted January 11, 1908.

MRS. ANNA STRYKE.—Assault and Battery. City court of Atlanta, November term, 1907. She is very old

and pardon urged by the trial judge. Granted January 11, 1908.

W C. GOODMAN.—Voluntary Manslaughter. Superior court of Chatham county, October term, 1904. Eight years. Evidence discovered since the trial shows that the killing was justifiable. Granted January 13, 1908.

ANDREW A. WALLINE.—Voluntary Manslaughter. Superior court of Fulton county, fall term, 1904. Six years in the penitentiary. The judge, solicitor and jury recommend pardon upon the ground that the evidence made it a very close case. Granted February 17, 1908.

HOWARD HILL.—Vagrancy. City court of Atlanta, December term, 1907. Twelve months. He was only fifteen years of age, and his parents have since been found, who are willing to take care of him. Granted February 22, 1908.

J L. BUTLER.—Burglary. Superior court of Bibb county, February term, 1905. Seven years. His previous character was good. Pardon urged by the judge, solicitor, jury and many good citizens. Granted March 12, 1908.

BILL JONES.—Murder. Superior court of Muscogee county, May term, 1885. Life imprisonment. He is now eighty years of age and has served twenty-three years in the penitentiary with good conduct. Granted March 12, 1908.

ODESSA COUSINS.—Vagrancy. City court of Atlanta, October term, 1907. Twelve months. She was only fourteen years of age and plead guilty. She has a mother who petitions that she be released and will provide her with a home. Granted March 12, 1908.

DUDLEY FITZPATRICK.—Rape. Superior court of Madison county, September term, 1904. Ten years. Defendant and Jewel Chandler, white men, were convicted of rape on a negro woman, who has been shown a woman of bad character. Granted April 11, 1908.

GENE TAYLOR.—Murder. Superior court of Bibb county, November term, 1892. Life imprisonment. He was present with his brother who did the killing, and it is doubtful whether he was aiding in the commission of the crime. He has served more than fifteen years with good conduct. Granted April 13, 1908.

BERT BARROW.—Stealing a ride on a train. City court of Newnan, February term, 1908. Four months. He was thrown out of employment in the West and was endeavouring to get back to his relatives in Brunswick. Has served more than two months. Granted April 14, 1908.

THOMAS J. RAINWATER AND WALTER REDD.—Riot. City court of McRae, February term, 1907. Fine of \$200 each or twelve months. Soon after entering the chain-gang they made their escape. They were later captured and given additional sentences of six months. They have served all the twelve months' sentence and about two months of the six months' sentences. The trial judge and solicitor recommend their immediate pardon. These cases did not go before the Prison Commission, as they were not in session. Granted February 26, 1908.

#### SENTENCES COMMUTED.

J. C. WILLIAMS.—Larceny from the House. City court of Camilla, January term, 1907. Ten months. Defendant, a boy fourteen years of age, plead guilty and served four months. Is physically and mentally infirm. Sentence commuted to present service July 12, 1907.

FRANK RUSSELL.—Vagrancy. City court of Atlanta, November term, 1906. Twelve months. He was a victim of the morphine habit, but the county physician certifies that he has been cured of the habit, and his former employer promises him employment. Commuted to present service July 19, 1907.

NARCISSA REYNOLDS AND CORNELIA RAKE.—Vagrancy. City court of Atlanta, May term, 1907. Eight and six months respectively on the chaingang. They are both white women and have friends in Florida who promise to take care of them if released. Commuted to present service August 1, 1907.

LOVICK DRUMMOND.—Assault with intent to murder (two cases). Superior court of Cobb county, July term, 1892. Ten years in each case. Both of the indictments grew out of the same transaction. He has served all of the first sentence and about five years of the second. Commutation recommended by the judge, jury and prominent citizens. Granted August 17, 1907.

LEE BROOKS.—Gaming. City court of Forsyth, July term, 1907. Five months. He protested his innocence, but at the suggestion of his employer he plead guilty. It now appears that there was grave doubt as to his guilt. Commuted to payment of a fine of \$50, August 17, 1907.

CHARLIE COLLINS.—Robbery. Superior court of Fulton county, October term, 1905. Ten years. He was convicted upon the evidence of the prosecutor alone, whose testimony has since been greatly discredited. Commuted to present service August 17, 1907.

JOHN BROWN.—Assault and Battery. Superior court of Cobb county, November adjourned term, 1906. Twelve



months. He remained in jail four months before the trial and has served three months of the sentence. His release asked for by the prosecutor. Commuted to present service August 17, 1907.

LOUISE THOMAS.—Burglary. Superior court of Fulton county, April term, 1907. Twelve months. She has developed consumption, and the county physician certifies that she will hardly live out her sentence. Commuted to present service August 24, 1907.

DOZIER LEWIS.—Simple Larceny. Superior court of Muscogee county, June term, 1907. Three months. He served the greater portion of his sentence, and the county physician certifies that he has tuberculosis of the lungs. Commuted to present service August 24, 1907.

J. J. CARROLL.—Larceny. Superior court of Fulton county, June term, 1904. Four years. He remained in jail seven months before trial, and has served more than three years of the sentence, with good conduct. Commuted to present service August 24, 1907.

BURRELL WOODWARD.—Selling Whisky. City court of Greenville, July term, 1907. Fine of \$50, or six months. He is seventy years of age, partially paralyzed and suffering with kidney disease. Commuted to present service September 4, 1907.

JOHN A. MCGUFFEY.—Misdemeanor. City court of Atlanta, January term, 1907. Fine of \$100 or twelve months. He has served the greater portion of the sentence and his release is recommended by the trial judge on payment of a proportionate amount of the fine. Sentence commuted to payment of a fine of \$25, September 12, 1907.

HENRY POLLARD.—Attempt to Murder. Superior court of Richmond county, April term, 1905. Five years. The fight took place on a train. The person shot was drunk and threatened to throw defendant off the train. He advanced on defendant and was slightly wounded. Commuted to present service September 12, 1907.

A. J. POSEY.—Horse Stealing. Superior court of Dougherty county, April term, 1906. Two years. He sold the horse while in a state of intoxication, and the trial judge recommends clemency. Commuted to present service September 12, 1907

GEO. C. BOGGS.—Bigamy Superior court of Whitfield county, April term, 1906. Two years. The solicitor says, there was some doubt as to his former marriage. Clemency recommended by the judge, solicitor, jury and many citizens. Commuted to present service September 16, 1907

W. C. RAWLS.—Shooting at Another. Superior court of Richmond county, fall term, 1905. Four years. The trial jury recommended that he be punished as for a misdemeanor. He was in jail six months before the trial, and has served nearly two years of the sentence. The county physician says that he has heart disease. Commuted to present service September 16, 1907.

CHAS. ALLEN.—Murder. Superior court of Henry county, April term, 1907. Sentenced to death. There were mitigating circumstances connected with the killing. Clemency recommended by the trial judge, solicitor, jury and many good citizens. Sentence commuted to life imprisonment October 16, 1907.

WILL WALKER.—Vagrancy. City court of Atlanta,

October term, 1907. Twelve months. Pardon recommended by trial judge on ground of doubt as to his guilt. Granted October 19, 1907.

WILL CLARK.—Escape. County court of Pulaski county, spring term, 1907. Twelve months. His first offense was for stealing a pair of pants valued at \$3, and while serving that sentence he escaped, and on being recaptured was sentenced to twelve months. He has served the first sentence, and the physician says that he is incapacitated by disease for work. Commuted to present service October 21, 1907.

J. R. WALL.—Voluntary Manslaughter. Superior court of Bibb county, January term, 1897. Five years. He served his sentence and has since been a good citizen. He now asks that his civil disabilities be removed. Granted October 21, 1907.

JAMES HOWARD.—Larceny. City court of Atlanta, August term, 1907. Twelve months. He was a boy only thirteen years of age, and his release is recommended by the judge and solicitor. Commuted to present service October 21, 1907.

JAS. M. CAMPBELL.—Murder. Superior court of Jasper county, September term, 1896. Life imprisonment. He was convicted on circumstantial evidence, and the main witness against him was a negro who received part of the reward offered for his capture and conviction. He has served with good conduct and protests his innocence. Commuted to present service October 27, 1907.

WILL HOWARD.—Carrying Concealed Weapons. City court of Sylvester. Six months. The judge and solicitor certify to his previous good character and recommend

clemency. Sentence commuted to a fine of \$100 and costs October 26, 1907.

MOSE JOHNSON.—Carrying Pistol Concealed. City court of Dooly county, July term, 1907. Twelve months. There was a conflict of evidence as to whether the pistol was concealed. Commuted to a fine of \$100 and costs, October 26, 1907.

CHAS. BROWN.—Murder. Superior court of Crisp county, July term, 1907. Sentenced to be executed. There is a conflict in the evidence, and it appears that the deceased may have been the aggressor. Sentence commuted to life imprisonment October 17, 1907.

SAM NAPOLEON.—Drunk on the Public Highway. City court of Atlanta, August term, 1907. Six months. Since conviction his leg has been broken, and he is lying in jail in a helpless condition. Sentence commuted to present service November 4, 1907.

E. D. WITHINGTON.—Larceny from the House. City court of Richmond county, March term, 1907. Sentenced to State reformatory. This boy stole a pistol valued at \$3 and \$5 in money. He has served six months with exemplary conduct. His mother now lives in the Indian Territory and asks that he be sent to her. Commuted to present service November 14, 1907.

WILLIE PATTON.—Simple Larceny. City court of Athens, August term, 1907. Twelve months. He is a white boy not over sixteen years of age and is very frail and unable to do hard labor. He has served three months with good conduct. Commuted to present service November 14, 1907.

LUTHER JONES.—Murder. Superior court of Randolph county, November term, 1877. Life imprisonment. He has always maintained his innocence and there is doubt as to his guilt. He has served thirty years. Commuted to present service November 14, 1907.

HOPE DAMONS.—Cheating and Swindling (two cases). City court of Athens, April term, 1907. Twelve months in each case. The prosecutors recommend commutation to payment of a fine of \$50 in each case. Granted November 14, 1907.

CHAS. THURMAN.—Voluntary Manslaughter. Superior court of Richmond county, spring term, 1907. Two years. He found the deceased in his home with his wife under suspicious circumstances, and killed him. His release is recommended by many good citizens. Commuted to present service November 14, 1907.

GUY A. SHUTTLEWORTH.—Selling Whisky (five cases). Superior court of Walker county, August term, 1906. Fine of \$300 or four months in each case. He was employed by a social club at Fort Oglethorpe, and was assured by the officers that he would not be violating the law. Commuted to present service November 14, 1907.

MINNIE BUSSEY.—Selling Whisky. Superior court of Stephens county, May term, 1907. Twelve months. Clemency is urged on the ground that Stephens county has no chaingang, but hires her convicts out to the highest bidder. Sentence commuted to ten days in jail and the payment of a fine of \$25, November 23, 1907.

T. R. VARNADOE.—Selling Whisky. City Court of Dooley county, July term, 1907. Twelve months. He was

convicted on the testimony of a negro accomplice, although he protested his innocence. Sentence commuted to thirty days in jail and a fine of \$50, November 23, 1907.

C. S. NORTHROP.—Cheating and Swindling. City court of Carrollton, July term, 1907. Twelve months or \$500. He was confined in jail for more than seven months before trial. The prosecutor says that he will be satisfied to have the fine reduced \$200. This case was not passed upon by the Prison Commission. Commuted to fine of \$200 November 30, 1907.

WILSON PALMER.—Murder. Superior court of Dade county, 1889. Life imprisonment. While serving a sentence of twenty years for burglary he and several other convicts attempted to escape, and two guards were killed. He had nothing to do with the killing, but was only attempting to escape. Commuted to present service December 4, 1907.

BUD THOMAS.—Murder. Superior court of Muscogee county, May term 1907. Sentenced to death. Deceased was a dangerous man, and at the time of the killing had called to his son to bring him a gun with which to shoot defendant. The son was approaching with the gun when defendant killed deceased. Commuted to life imprisonment January 9, 1908.

TOM HARDY.—Murder. Superior court of Richmond county, October term, 1902. Sentenced to be executed. Soon after his conviction he became violently insane and was committed to the lunatic asylum. He has since recovered his sanity. Commutation is recommended by the trial judge, solicitor and many citizens. Commuted to life imprisonment January 9, 1908.

EMORY BRYANT.—City court of McRae, February term, 1907. Twelve months. The county commissioners, the trial judge and solicitor state that further confinement will seriously impair his health. Commuted to present service January 13, 1908.

CHESTER CLAYTON.—Simple Larceny. City court of Atlanta, August term, 1907. Six months in jail. This boy is an epileptic, and the King's Daughters have agreed to send him and his widowed mother to relatives in another State. Commuted to present service January 13, 1908.

WILL JORDAN.—Gaming. City court of Atlanta, August term, 1907. Fine of \$50 and costs or eight months. He was arrested with several others. He plead guilty, but most of his accomplices have since been acquitted. Commuted to present service January 13, 1908.

W. D. TIMBERLAKE.—Forgery. Superior court of Richmond county, November term, 1905. Four years. His previous character was good. He has served for more than two years with good conduct, and his health is very much impaired. Commuted to present service January 13, 1908.

EAGLE BUTT.—Simple Larceny. Superior court of Fannin county, May term, 1907. Nine months. Evidence circumstantial; previous character good. He was in jail two months before trial. Sentence commuted to present service January 13, 1908.

LIZZIE McCONNELL.—Keeping a Lewd House. Superior court of Chatham county, February term, 1907. Fine \$1,000 and costs and six months in jail. She paid the fine and costs and has been in jail three months. The

physician certifies that she has an incurable disease. Commuted to present service January 13, 1908.

HENRY BROWN.—Shooting at Another. Superior court of Chatham county, March term, 1907. Fine, \$100 or twelve months. The person wounded had assaulted defendant and his wife with beer bottles. The county physician certifies that his health is very much impaired, caused by his confinement. Commuted to present service January 13, 1908.

GUS GIBBS.—Murder. Superior court of Dodge county, September term, 1882. Life imprisonment. He was implicated in the Eastman riot, but did not actually participate in the killing. He has served about twenty-six years with good conduct. Commuted to present service January 13, 1908.

BOISA JOHNSON.—Murder. Superior court of Newton county, September term, 1890. Life imprisonment. A careful reading of the evidence makes it doubtful if the homicide was not the result of an accident. Defendant has served sixteen years with good conduct. Commuted to present service January 11, 1908.

EUGENE KIMBALL.—Larceny after Trust. Superior court of Chatham county. Five years. He has served for more than two years, and the physician certifies that he is very much diseased. The amount involved was only \$14. Commuted to present service February 18, 1908.

DANIEL WILLIAMS.—Cruelty to Animals. City court of Macon, December term, 1907. Fine of \$60 or eight months. He is only eighteen years of age and this is his first offense. Previous good character. Commuted to present service February 18, 1908.



ESTELLA WILLIAMS.—Voluntary Manslaughter. Superior court of Sumter county, November term, 1905. Twelve years. She has developed consumption and the physician says that she can not live six months. Commuted to present service February 18, 1908.

WILL SMITH.—Voluntary Manslaughter. Superior court of Fulton county, December term, 1906. Six years. The killing grew out of criminal intimacy on the part of deceased with defendant's wife. Clemency is urged by the Solicitor-General, the trial jury and many good citizens. Commuted to present service March 13, 1908.

H. L. DONALDSON.—Selling Whisky. City court of Eastman, October term, 1907. Fine of \$500 and 30 days in jail, or twelve months. He paid the fine and served ten days of the jail sentence. His immediate release was urged by the trial judge and solicitor and a large number of citizens on the ground that a member of the family was dangerously ill. This case was acted upon at once without the recommendation of the Prison Commission, as they were not in session. Commuted to present service February 24, 1908.

JOHN BIBB.—Larceny from the House. Superior court of Glynn county, May term, 1906. Five years. He has served nearly two years, and his health has broken down. His conduct during imprisonment has been exemplary. Commuted to present service March 7, 1908.

GEORGE HUGHES.—Burglary. Superior court of Fulton county, fall term, 1902. Seven years. He served all of his sentence but three months with good conduct. Commuted to present service March 9, 1908.

J. H. COSBY.—Selling Whisky (two cases). City

court of Carrollton, March term, 1907. Twelve months and three months respectively. He served the twelve months' sentence and the physician certifies that he has rheumatism and bladder trouble. Commuted to present service March 9, 1908.

HOWARD HARTSFIELD.—Larceny from the House. Superior court of Fulton county, March term, 1906. Three and one-half years. Defendant is a white boy seventeen years of age. He has served nearly two years and his release is urged by the prosecutor and many good citizens. Commuted to present service March 11, 1908.

MONROE BRISCO.—Murder. Superior court of Greene county, March term, 1877. Life imprisonment. This old negro has served in the penitentiary for twenty-nine years with good conduct. Commuted to present service March 12, 1908.

FRANK BAKER.—Breaking and Entering a Railroad Car. Superior court of Fulton county, November term, 1907. Two years in the penitentiary. Defendant is a young boy eighteen years of age. He entered the car at Cartersville and rode to Atlanta, where he was arrested. Nothing was stolen from the car. Commuted to present service March 12, 1908.

EPH JOHNSON.—Drunkenness on the Public Highway. City court of Calhoun county, July term, 1907. Twelve months. He served eight months with good conduct, and his release recommended by many good citizens. Commuted to present service March 12, 1908.

HATTIE NELMS.—Murder. Superior court of Spalding county, spring term, 1892. Life imprisonment. The pistol was fired during a scuffle and the sister of defendant

was killed. Defendant claimed that it was accidental, and strong doubt was raised during the trial as to her guilt. She has served fifteen years with good conduct. Commuted to present service March 12, 1908.

GEO. W. BRADLEY.—Burglary. Superior court of Walker county, February term, 1907. Twelve months. The principal witness against Bradley has since made affidavit that her testimony was false, and was made for the purpose of shielding her husband, who was jointly accused with Bradley. The prosecutor recommends clemency. Sentence commuted to present service March 28, 1908.

FRANK B. ROBINSON.—Murder. Superior court of Charlton county, fall term 1903. Life imprisonment. The trial judge and solicitor, the grand jury and trial jury recommend clemency. There were mitigating circumstances connected with the commission of the crime. Commuted to present service March 28, 1908.

FRED ROSEBERRY —Murder. Superior court of Newton county, fall term, 1907. Sentenced to death. Defendant is barely responsible mentally, and clemency is urged by the trial judge and solicitor, the grand jury which indicted him and the trial jury, county officers and many good citizens. Commuted to life imprisonment March 28, 1908.

JOE MCWHORTER.—Larceny from the House. Superior court of Fulton county, January term, 1908. Twelve months. Defendant was only twelve years of age, and has served three months. A reputable citizen of Oglethorpe county has agreed to take the boy and give him proper training. Commuted to present service April 9, 1908.

FRANK MAYSON.—Burglary. Superior court of Fulton

county, October term, 1905. Ten years. He was convicted of taking a watch, and has been in jail and the penitentiary since the summer of 1905. He has served with good conduct, and since his imprisonment his leg was crushed by a steam shovel, and had to be amputated. Commuted to present service April 11, 1908.

FLORA RICHARDSON.—Murder. Superior court of Campbell county, August term, 1900. Life imprisonment. She is a deformed negro woman of low intellect. She was convicted of infanticide, but she has always claimed that the child was born dead. Many prominent citizens urge her release. Commuted to present service April 13, 1908.

WILLIAM FITZGIBBONS.—Pointing a Pistol at Another. Superior court of Muscogee county, May term, 1907. Twelve months in chaingang and six months in jail. It appears that he only intended to frighten the person at whom the pistol was pointed. He has served the twelve months' sentence and asks to be relieved of the jail sentence. Commuted to present service April 13, 1908.

J. A. McCURRY.—Perjury. Superior court of Rabun county, February term, 1907. Four years in the penitentiary. His release is urged by the judge, solicitor, grand jury, trial jury and several hundred citizens on the ground that there was grave doubt as to his guilt. Commuted to present service April 13, 1908.

THURINE TUMLIN.—Unlawfully Riding on a Railroad Train. City court of Hall county, March term, 1908. Six months. This white boy was only eighteen years of age, and this was his first offense. He has served nearly two months and his release is urged by many good citizens. Commuted to present service May 14, 1908.

SADIE WRIGHT.—Vagrancy. City court of Savannah, August term, 1907. Fine of \$50 or twelve months. She has served eight months, and the county physician certifies that she is in very bad health and unable to do any work. Commuted to present service May 14, 1908.

WILL JONES.—Selling Whisky (two cases). City court of Screven county, June term, 1906. Twelve months or \$250 in each case. He has served with good conduct nearly two years, and the judge asks for his release. Commuted to present service May 14, 1908.

### RESPITES.

CHAS. BROWN.—Convicted in the superior court of Crisp county of murder and sentenced to be executed on August 22, 1907. Respite granted until September 19th, in order that the Prison Commission might have sufficient time within which to consider an application for clemency. Second respite granted to Chas. Brown on September 11, 1907, until October 18, 1907, for the reasons above stated.

CHAS. ALLEN.—Convicted in the superior court of Henry county of the crime of murder and sentenced to be executed on September 28, 1907. Respite granted September 27th, until October 18, 1907, in order to give the attorneys for the defendant time within which to present a motion for a new trial on the ground of newly discovered evidence.

LEE HOLMES.—Convicted in the superior court of McIntosh county of the crime of murder and sentenced to be executed. On January 20, 1908, a respite was granted until February 7, 1908, in order that the Governor might have sufficient time within which to consider an application for commutation of sentence. On February 5th a

second respite was granted until February 14th for the same reason. The Governor being ill at this time and unable to consider the case, another respite was granted until February 28, 1908.

ARTHUR P. GLOVER.—Convicted in the superior court of Richmond county of the crime of murder and sentenced to be executed on January 27, 1908. It being represented that the defendant was of unsound mind, a commission composed of Drs. J. M. Whitaker, E. B. Block and Thos. R. Wright, was appointed to examine him and report on his mental condition. This report, which was unfavorable to the defendant, was received only a short time before the date fixed for the execution, and in order that the defendant might have a few days within which to make his preparations for the hereafter, a respite was granted until January 31, 1908.

WILLIE ROGERS.—Convicted in the superior court of Chatham county of the crime of murder and sentenced to be executed. On February 8, 1908, a respite was granted until February 21, 1908, in order that the Prison Commission might pass on an application for clemency. A second respite was granted until February 25 for the same reason.

JOHN HARPER.—Convicted in the superior court of Murray county of the crime of murder, and sentenced to be executed. On May 21, 1908, a respite was granted until June 12, 1908, in order that the Prison Commission might pass upon an application for clemency.

SONNIE WILLIAMS.—Convicted in the superior court of Miller county, November term, 1907, and sentenced to hang. Respite granted until June 19, 1908, in order that the Prison Commission might have sufficient time for considering an application for commutation of sentence.

HARRY E. LYLE.—Convicted in the superior court of Ware county of the crime of murder, and sentenced to hang. This case was set for a hearing before the Prison Commission the day before the time fixed for the execution, but counsel for defendant was sick and could not appear. For this reason a respite was granted until June 9, 1908, in order that the Prison Commission might pass upon an application for clemency. On June 6 a second respite was granted in order that counsel might appear before the Governor in an effort to have the sentence of the defendant commuted. The second respite was granted until June 23, 1908.

The following resolution was read and laid on table for one day :

By Mr. Alexander of DeKalb—

A resolution that the Clerk be directed to cause the Journal of the House for each day to be printed, and the printed sheets laid on the desks of the members next morning.

The following resolution was read, to wit :

By Mr. Wright of Richmond—

A resolution that on the call of counties for the introduction of new matters that the clerk be directed to commence at the foot of the roll.

Referred to Committee on Rules.

On the call of counties for the introduction of new matter.

The following bills were read the first time and appropriately referred :

By Mr. Odum of Baker—

A bill to repeal an Act creating board of commissioners of roads and revenues for Baker county.

Referred to Special Judiciary Committee.

By Mr. Odum of Baker—

A bill to create a board of commissioners of roads and revenues for Baker county.

Referred to Special Judiciary Committee.



By Mr. Odum of Baker—

A bill to amend Act creating city court of Newton in and for county of Baker.

Referred to Special Judiciary Committee.

By Mr. Ryals of Bibb—

A bill to amend section 2545, Civil Code, relative to sales of guardians.

Referred to General Judiciary Committee.

By Mr. Taylor of Appling—

A bill to create a board of commissioners of roads and revenues for Appling county.

Referred to Counties and County Matters Committee.

By Mr. Moore of Cherokee—

A bill to create board of commissioners of roads and revenues for county of Cherokee.

Referred to Counties and County Matters Committee.

By Mr. Harris of Crisp—

A bill to amend Act incorporating city of Cordele.

Referred to Corporations Committee.

By Mr. Tyson of Emanuel—

A bill to make it penal to bet on elections in Georgia.

Referred to General Judiciary Committee.

By Mr. Tyson of Emanuel—

A bill to fix the age for road duty in the State of Georgia.

Referred to General Judiciary Committee.

By Mr. Williams of Dodge—

A bill to amend Act establishing city court of Eastman.

Referred to Special Judiciary Committee.

By Mr. Harris of Crisp—

A bill to amend Act incorporating city of Cordele.

Referred to Corporations Committee.

By Mr. Harris of Crisp—

A bill to amend Act to incorporate city of Cordele.

Referred to Committee on Corporations.

By Messrs. Alexander and Candler of DeKalb—

A bill to amend Constitution by authorizing the General Assembly to exempt from taxation agricultural products in hands of producers.

Referred to Committee on Constitutional Amendments.

By Mr. Williams of Dodge—

A bill to incorporate the town of Leon.

Referred to Committee on Corporations.

By Mr. Williams of Dodge—

A bill to amend Act providing for collection of attorneys fees.

Referred to General Judiciary Committee.

By Mr. Tyson of Emanuel—

A bill to amend section 342 of Penal Code.

Referred to General Judiciary Committee.

By Mr. Whitley of Douglas—

A bill to exempt certain farm products from taxation while in hands of producer.

Referred to Committee on General Agriculture.

By Mr. Moore of Cherokee—

A bill relative to issuing bonds for establishment of roads in Cherokee county.

Referred to Counties and County Matters Committee.

By Mr. Tyson of Emanuel—

A bill to prescribe manner of selling land belonging to Emanuel county.

Referred to Counties and County Matters Committee.

By Mr. Godley of Camden—

A bill to incorporate the city of Kingsland.

Referred to Committee on Corporations.

By Mr. Mercer of Terrell—

A bill to repeal an Act relative to public roads in Terrell county.

Referred to Counties and County Matters Committee.

By Mr. Edwards of Habersham—

A bill to amend Constitution relative to increasing pensions.

Referred to Committee on Pensions.

By Mr. Calbeck of Gordon—

A bill to provide how and when pensions due to Confederate soldiers and widows shall be paid.

Referred to Committee on Pensions.

By Mr. Moore of Cherokee—

A bill to exempt farm products from taxation when in hands of producer.

Referred to Committee on General Agriculture.

By Mr. Reid of Putnam—

A bill to amend Act creating board of commissioners of roads and revenues of Putnam county.

Referred to Counties and County Matters Committee.

By Mr. Dunbar of Richmond—

A bill to authorize railroad corporations chartered un-

der the laws of the State of Georgia to change its line of road.

Referred to Committee on Railroads.

By Mr. Adams of Chatham—

A bill to authorize judges of city courts in certain counties to appoint special bailiffs.

Referred to Special Judiciary Committee.

By Mr. Boyd of Spalding—

A bill to amend Act relative to pensioning Confederate soldiers.

Referred to Committee on Pensions.

By Messrs. Nowell and Arnold—

A bill to incorporate the town of Williamsville.

Referred to Committee on Corporations.

By Mr. Edwards of Habersham—

A bill to repeal an Act to regulate the sale of certain drugs.

Referred to Committee on Hygiene and Sanitation.

By Mr. Dean of Floyd—

A bill to amend charter of city of Rome.

Referred to Committee on Corporations.

By Mr. Tuggle of Troup—

A bill to amend section 1790 of volume 1 of Code of 1895.

Referred to General Judiciary Committee.

By Mr. Calbeck of Gordon—

A bill to repeal Act incorporating the town of Fairmount.

Referred to Committee on Corporations.

By Mr. Edwards of Habersham—

A bill to amend Act to regulate sale of certain narcotic drugs.

Referred to Committee on Hygiene and Sanitation.

By Mr. Edwards of Habersham—

A bill to amend the Constitution so as to amend the pension laws.

Referred to Committee on Pensions.

By Mr. Edwards of Habersham—

A bill to repeal an Act providing how and in what way pensions shall be paid.

Referred to Committee on Pensions.

By Mr. Fraser of Liberty—

A bill to amend section 982, volume 1 of the Code of 1895.

Referred to Committee on Banks and Banking.

By Mr. Calbeck of Gordon—

A bill to establish new charter for the town of Fairmount.

Referred to Committee on Corporations.

By Mr. Butt of Fannin—

A bill to amend charter of city of Blue Ridge.

Referred to Committee on Corporations.

By Mr. Tuggle of Troup—

A bill to amend paragraph 1 of section 2 of article 11 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. Tyson of Emanuel—

A bill to fix the age for road duty in Emanuel county.

Referred to Counties and County Matters Committee.

By Mr. Adams of Chatham—

A bill to amend section 4467 of Civil Code.

Referred to General Judiciary Committee.

By Mr. Tuggle of Troup—

A bill to amend paragraph 1 of section 2 of article 8 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. Tuggle of Troup—

A bill to amend paragraph 1, section 4, article 3 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. Tuggle of Troup—

A bill to amend paragraphs 2 and 3 of section 1 of article 5 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. Dean of Floyd—

A bill to create a bureau of fisheries in Georgia.

Referred to Committee on General Agriculture.

By Mr. Stubbs of Thomas—

A bill to amend the charter of the town of Ochlochnee.

Referred to Committee on Corporations.

The following resolutions were read the first time and appropriately referred:

By Mr. Blackburn of Fulton—

A resolution to provide payment of bond No. 188.

Referred to General Judiciary Committee.

By Mr. Tracy of Webster—

A resolution to pay pension of Mrs. E. J. Coker.

Referred to Committee on Pensions.



The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has adopted the following joint resolution in which the concurrence of the House is respectfully asked, to wit:

A resolution appointing a joint committee of two from the Senate and three from the House, notifying his Excellency the Governor that the General Assembly has convened, and ready to receive such communications as he may think proper.

Committee on part of Senate Mr. Felder of 22d, and Mr. Steed of 37th.

The committee to notify the Governor of the convening of the General Assembly submitted the following report:

*Mr. Speaker:*

The Joint Committee of the House and Senate, to wait upon the Governor and notify him of the readiness of the General Assembly to attend to business, reports that it has discharged this duty, and the Governor states that he will communicate with the General Assembly at once in writing.

Respectfully submitted.

CANDLER of DeKalb,  
JACKSON of Jones,  
DUGGAN of Washington,  
Committee on part of the House.

Leaves of absence were granted to the following members, to wit:

Mr. Stephens of Hall, Mr. Price of Oconee.

In accordance with the resolution previously adopted the Speaker declared the House adjourned out of respect to the memory of the deceased members until 10 o'clock to-morrow morning.

ATLANTA, GA.,

June 25, 1908.

The House met at 10 o'clock a.m., pursuant to the adjournment thereof; called to order by the Speaker and opened with prayer by the Chaplain.

On the call of the roll the following members answered to their names:

Adams of Chatham,	Barrow,	Candler,
Adams of Elbert,	Bell,	Cannon,
Adams of Wilkinson,	Berry,	Chamlee,
Adkins,	Blackburn,	Clark,
Alexander,	Bond,	Clifton,
Allen,	Bowen,	Collum,
Anderson of Bulloch,	Boyd,	Cook of Chat'hoochee,
Anderson of Cobb,	Brown of Carroll,	Cook of Telfair,
Arnold,	Brown of Oglethorpe,	Cooke of Thomas,
Ashley,	Buchannon,	Covington,
Atkinson,	Burkhalter,	Couch,
Austin,	Burwell,	Cowan,
Ballard,	Butt,	Crawford,
Barksdale,	Calbeck,	Crumbley,
Barrett,	Callaway,	Culbreth,

Daniel,	Johnson of Jeff Davis,	Rountree,
Davis,	Johnson of Towns,	Russell,
Davison,	Jones of Meriwether,	Ryals,
Dean,	Jones of Mitchell,	Shaw,
Dickey,	Keith,	Sheffield,
Donalson,	Kendall,	Simmons,
Dorminy,	Kendrick,	Slade,
Dunbar,	Lee,	Slater,
Duggan,	Lively,	Smith of Calhoun,
Dykes,	Lumsden,	Smith of Campbell,
Eaves,	Lunsford,	Stephens,
Edmondson,	Matthews,	Stewart,
Edwards,	MacFarland,	Strickland,
Ellison,	McCarthy,	Stubbs,
Estes,	McIntyre,	Sumner,
Fagan,	McMahan,	Swilling,
Flanders,	McMichael,	Taylor of Appling,
Flannigan,	McMullan,	Taylor of Sumter,
Foster,	McWilliams,	Terrell,
Fowler,	Martin,	Thorne,
Fraser,	Massengale,	Thurman,
Frier,	Maxwell,	Tift,
Fullbright,	Mays,	Townsend,
Furr,	Mercer,	Tracy,
Geer,	Moore,	Trent,
Gibson,	Morris,	Tuggle,
Glenn,	Mundy,	Tyson,
Godley,	Nix,	Walker of Lowndes,
Goode,	Nowell,	Walker of Milton,
Guyton,	Odum,	Walker of Wash'ton,
Hall,	Orr,	Ward,
Hamilton,	Parker,	Warnell,
Hardeman,	Parrish,	Watkins,
Harris,	Payton,	White of Madison,
Haywood,	Perry,	White of Screven,
Heard,	Persons,	Whitley,
Hill,	Peterson,	Williams,
Hines,	Pope of Brooks,	Wilson,
Holder,	Pope of Dade,	Wise,
Howard,	Powell,	Wootten,
Hubbard,	Price of Bartow,	Wright of Floyd,
Huff,	Price of Oconee,	Wright of Richmond,
Huie,	Reid of Macon,	Wynne,
Hullender,	Reid of Putnam,	Young,
Jackson,	Reid of Wilcox,	Mr. Speaker.
Johnson of Jasper,	Rogers,	

Those absent were Messrs.—

Atwater,

The Journal of yesterday's proceedings was read and confirmed.

The following message was received from the Senate through Mr. Northen, Secretary thereof

*Mr Speaker:*

The Senate has adopted the following resolution in which the concurrence of the House is asked, to wit:

A resolution providing for a joint committee of three from the Senate and five from the House to prepare an appropriate memorial on the life and character of the Hon. John W Akin, late Senator from 42d district.

The following resolutions were read and adopted:

By Mr. Boyd—

A resolution extending sympathy of the House to Hon. J. R. Atwater in his illness.

By Messrs. Boyd and Jackson—

A resolution congratulating Hon. D. C. Barrow on his recent marriage.

By Mr. Pope of Brooks—

A resolution that the hall of the House of Representatives be tendered the Georgia Woman's Suffrage Association on the evenings of July 9th and July 10th.

By unanimous consent the following bills were read the first time and appropriately referred:

By Mr. Burkhalter—

A bill to regulate the sale, inspection and analysis of commercial fertilizers in the State of Georgia.

Referred to Committee on General Agriculture.

By Mr. Burkhalter—

A bill to regulate the business of commission merchant and other like business.

Referred to Committee on General Agriculture.

By Mr. Fowler—

A bill to authorize corporations chartered by superior court to change its corporate residence by majority vote of its stockholders.

Referred to Committee on Corporations.

By Mr. Fullbright—

A bill to incorporate the town of Vidette.

Referred to Committee on Corporations.

By Mr. Fullbright—

A bill to amend the charter of Midville.

Referred to Committee on Corporations.

By Mr. Barksdale—

A bill to regulate the writing of life insurance.

Referred to Committee on Corporations.

By Mr. McMahan—

A bill to appropriate twenty thousand dollars to the trustees of the University of Georgia.

Referred to Committee on Appropriations.

By Mr. McMahan—

A bill to appropriate seven thousand dollars to State Normal School.

Referred to Committee on Appropriations.

By Mr. McMahan—

A bill to provide for creation of a board of health for the city of Athens.

Referred to Committee on Corporations.

By Messrs. Flannigan and Holder—

A bill to amend the Act incorporating the town of Center.

Referred to Counties and County Matters Committee.

By Mr. Shaw—

A bill to fix the annual amount to be paid to each of

the indigent soldier pensioners and to the widows thereof.

Referred to Committee on Pensions.

By Mr. Shaw—

A bill to require certain hotels to furnish mosquito bars.

Referred to General Judiciary Committee.

By Mr. Terrell—

A bill to amend section 388 of the Penal Code of 1895.

Referred to General Judiciary Committee.

By Messrs. Flannigan and Holder—

A bill to amend Act incorporating the town of Hoschton.

Referred to Counties and County Matters Committee.

By Messrs. Blackburn and Bell—

A bill to appropriate thirty thousand dollars to the State Technological School to build dormitory.

Referred to Committee on Appropriations.

By Messrs. Blackburn and Bell—

A bill to appropriate five thousand dollars to the State Technological School to establish a department of architecture.

Referred to Committee on Appropriations.

By Messrs. Crawford and Price—

A bill to make it unlawful for any person to enter the dwelling house or place of business of another over the objection of the owner.

Referred to Committee on General Judiciary.

By Mr. Gibson—

A bill to amend an Act to create a board of commissioners of roads and revenues in and for the county of Glascock.

Referred to Committee on Corporations.

By Messrs. Orr and Couch—

A bill to amend an Act incorporating the Haralson school district.

Referred to Committee on Corporations.

By Messrs. McIntyre and Shaw—

A bill to amend paragraph 5 of section 2 of article 6 of the Constitution relative to Court of Appeals.

Referred to Committee on Constitutional Amendments.

By Mr. Gibson—

A bill to change the time of holding the superior court of Glascock county.

Referred to General Judiciary Committee.



By Mr. McIntyre—

A bill to amend paragraph 1 of section 2 of article 7 of the Constitution so as to permit income and inheritance taxes.

Referred to Committee on Constitutional Amendments.

By Mr. Williams of Dodge—

A bill to amend section 2800 of the Code of 1895.

Referred to General Judiciary Committee.

By Messrs. Blackburn and Bell—

A bill to more clearly define the name of the State Technological School.

Referred to General Judiciary Committee.

By Mr. Trent—

A bill to prohibit vicious dogs from running at large.

Referred to Committee on General Agriculture.

By Mr. Persons—

A bill to amend Act creating board of commissioners of Monroe county.

Referred to Committee on Corporations.

By Messrs. Orr and Couch—

A bill to provide how and in what way pensions shall be paid.

Referred to Committee on Pensions.

On motion of Mr. Candler of DeKalb the following message of the Governor was read:

By unanimous consent the Governor's message, submitted on yesterday, and which appears in that day's Journal, was read.

By unanimous consent the following resolution of the Senate was read and concurred in:

By Mr. Felder of 22d district—

A resolution providing for a joint committee of three from the Senate and five from the House of Representatives to prepare a memorial on the life and character of the Hon. John W Akin late Senator from 42d district.

The following resolution was read and adopted:

By Mr. Alexander—

A resolution providing for joint session of House and Senate on Tuesday, June 30th, at 8 o'clock p.m., for the purpose of hearing from the officers of the Juvenile Protective Association.

Leaves of absence were granted the following members, to wit: Mr. Mays of Butts, Mr. Davis of Houston.

On motion of Mr. Bell of Fulton the House adjourned until to-morrow morning at 10 o'clock, out of respect to the memory of the Hon. John W Akin late Senator from the 42d district.

ATLANTA, GA.,

Friday, June 26, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by Rev. M. H. Eakes, the Chaplain.

The roll was called, and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe,	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconeë,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wooten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

Atwater,

The Journal of yesterday's proceedings was read and confirmed.

Mr. Reid of Putnam asked unanimous consent to have bill No. 781 withdrawn from the Committee on Counties and County Matters and re-referred to the Committee on Corporations, which was granted.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker.*

I am directed by the Senate to report to the House of Representatives that the following Senators have been appointed on part of Senate as the committee to prepare a memorial upon the death of the late Senator John W Akin, to wit:

Messrs. Felder of 22d district, Martin of 43d district, and Overstreet of 17th district.

Mr. Alexander, chairman of the Western & Atlantic Railroad Committee, submitted the following report:

*Mr Speaker.*

Your Committee on the Western & Atlantic Railroad beg leave to report as follows:

The committee has had under consideration House bill No. 3, declaring it to be the purpose and policy of this State to extend the Western & Atlantic Railroad and operate the same, and instruct me, as their chairman, to report the bill back to the House with the recommendation that it be passed as amended.

The committee have also had under consideration House bill No. 90, amending the Constitution so as to authorize an issue of bonds for the extension of the Western & Atlantic Railroad, and instruct me as their chairman to report the bill back with the recommendation that it do pass.

Respectfully submitted.

HOOPER ALEXANDER, Chairman.

Mr Hall of Bibb, of Western & Atlantic Railroad Committee, gave notice that at the proper time he would file a minority report on House bills Nos. 3 and 90.

The following resolution was read and adopted, to wit:

By Mr Alexander—

A resolution providing that the General Assembly adjourn on July 3d for the purpose of making an inspection of the Western & Atlantic Railroad and the State's property in Chattanooga.

The Speaker announced the following committee, on part of the House, to draft resolutions on the death of Hon. John W Akin, late Senator from the 42d district:

Messrs. Price of Bartow, Candler, Hall, Martin, Covington.

The Speaker announced the following committee assignments of the newly-elected members, to wit:

Mr MacFarland of McIntosh was assigned to Committees on Banks and Banking, Appropriations, Counties and County Matters, Railroads, Temperance, Special Judiciary.

Mr. Arnold of Walton was assigned to Committees on Banks and Banking, General Agriculture, Penitentiary, Manufactures, Western & Atlantic Railroad, Ways and Means.

Mr. Crawford of Bartow was assigned to Committees on General Agriculture, Special Agriculture, Education, Georgia School for Deaf, Temperance, Pensions.

Mr. Matthews of Lowndes was assigned to Committees on General Agriculture, Railroads, Penitentiary, Pensions, Corporations, Counties and County Matters.

Mr. Cannon of Rabun was assigned to Committees on General Agriculture, Counties and County Matters, Penitentiary, Roads and Bridges, Pensions, Mines and Mining.

Mr. Wynne of Pulaski was assigned to Committees on General Agriculture, Pensions, Special Judiciary, Temperance, Roads and Bridges, Game and Fish.

By unanimous consent the call of the roll of counties was dispensed with, and the following bills were read the first time and appropriately referred, to wit:

By Mr. Barrow of Chatham—

A bill to provide a method for the relief of sureties upon the bonds of persons acting in a judicial capacity.

Referred to General Judiciary Committee.

By Mr. McCarthy—

A resolution for the relief of L. B. Riser, H. D. Sievers, H. C. Cunningham, R. G. Prowder, Sanders Frain and L. Mell, of Chatham county.

Referred to Committee on Appropriations.

By Mr. McWilliams—

A resolution to pay the funeral expenses of W J Barnes of Henry county.

Referred to Committee on Pensions.

By Mr. Wright of Richmond—

A bill providing for the collection of past due taxes to the State.

Referred to General Judiciary Committee.

By Mr. Wright of Richmond—

A bill to provide for the rejection, assessment and arbitration in the case of tax returns by railroad companies for county and municipal purposes.

Referred to General Judiciary Committee.

By Messrs. Moore of Cherokee, Holder and Flannigan of Jackson—

A bill to define who are subject to road duty in Georgia.

Referred to Committee on Roads and Bridges.

By Messrs. Tyson and Rountree of Emanuel and Flanders of Johnson—

A bill to create the new county of Milledge.

Referred to Committee on Constitutional Amendments.

By Mr. Barrow of Chatham—

A bill to authorize the safe deposit of assets in the possession of any receiver, etc., subject to the joint control of the surety.

Referred to General Judiciary Committee.



By Mr. Brown of Carroll—

A bill to amend section 1110, volume 3 of the Code, defining costs due justices of the peace, etc., in criminal cases.

Referred to General Judiciary Committee.

By Mr. Godley—

A bill to create the city court of St. Marys.

Referred to Special Judiciary Committee.

By Mr. Mays of Butts—

A resolution to pay the funeral expenses of J. B. Grant of Butts county

Referred to Committee on Pensions.

By Mr. Shaw of Clay—

A bill to provide for the election of the Pension Commissioner by the people.

Referred to Committee on Pensions.

By Mr. Clifton of Toombs—

A bill to make the wife a competent witness to testify against the husband in certain cases.

Referred to Special Judiciary Committee.

By Mr. Stubbs of Thomas—

A bill to prescribe the manner of lawfully carrying pistols, etc.

Referred to Special Judiciary Committee.

By Mr. Ryals—

A bill to amend paragraph 2, section 2, article 5 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. Sumner of Turner—

A bill to amend an Act to create the city court of Ashburn.

Referred to Special Judiciary Committee.

By Mr. Williams of Dodge—

A bill to provide for a State board of pensions, etc.

Referred to Committee on Pensions.

By Mr. Godley of Camden—

A bill to repeal an Act to create the county court of Camden county.

Referred to Special Judiciary Committee.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House, and direct me as their chairman to report same back, with recommendation that same do pass:

An Act to amend an Act entitled an Act to create a

board of commissioners of roads and revenues for the county of Putnam.

Respectfully submitted.

NOWELL, Chairman.

The following bills were read the third time and put upon their passage, to wit:

By Mr. Hines of Baldwin—

A bill to make it unlawful to procure money or other thing of value upon a mortgage upon personalty when said personalty has died.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 1.

The bill having received the requisite constitutional majority was passed.

By Mr. Hines of Baldwin—

A bill to amend section 672 of the Criminal Code.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 108, nays 1.

The bill having received the requisite constitutional majority was passed.

By Mr. Hines of Baldwin—

A resolution to pay Mrs. O. M. Case for dwelling-house burned by convicts.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 97, nays 1.

The resolution having received the requisite constitutional majority was passed.

By Mr. Hines of Baldwin—

A bill to amend section 671 of the Criminal Code, relative to the sale of mortgaged property.

The favorable report of the committee was agreed to.

On the passage of the bill the ayes were 97, nays 0.

The bill having received the requisite constitutional majority was passed.

House bill No. 21, which was taken up for third reading, was tabled on motion of Mr. Slaton, of Fulton, because of the temporary absence of the author.

By Mr. Townsend of Clinch—

A resolution to pay pension due Mrs. Celia Holt.

An appropriation being involved the Speaker resolved the House into a Committee of the Whole and designated as chairman Mr. Heard of Dooley.

After a consideration of the resolution the committee arose, and through its chairman reported the same back to the House, with the recommendation that it do not pass.

The unfavorable report of the committee was agreed to and the bill was lost.

On motion of Mr. Smith of Campbell, 250 copies of Senate bill No. 123 were ordered printed.

By unanimous consent the following bill was read the first time, to wit:

By Mr. Glenn of Whitfield—

A bill to amend an Act to create the city court of Dalton.

Referred to Special Judiciary Committee.

The following bill was read the second time by unanimous consent and re-referred to the Committee on Corporations, to wit:

By Mr. Reid of Putnam—

A bill to amend an Act to create a board of commissioners of roads and revenues for Putnam county.

The following bill was read the third time and put upon its passage, to wit:

By Mr. Hall of Bibb—

A bill to provide certain restrictions upon the right of persons to register and vote in elections in this State.

On motion of Mr. Hall of Bibb the bill was tabled, and 200 copies ordered printed.

Mr. Donalson moved to adjourn until 10 o'clock Monday morning, which motion prevailed and the Speaker announced the House adjourned.

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ATLANTA, GA.,

Monday, June 29, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called, and the following members answered to their names:

Adams of Chatham,	Bond,	Cooke of Thomas.
Adams of Elbert,	Bowen,	Covington,
Adams of Wilkinson	Boyd,	Couch,
Adkins,	Brown of Carroll,	Cowan,
Alexander,	Brown of Oglethorpe,	Crawford,
Allen,	Buchannon,	Crumbley,
Anderson of Bulloch,	Burkhalter,	Culbreth,
Anderson of Cobb,	Burwell,	Daniel,
Arnold,	Butt,	Davis,
Ashley,	Calbeck,	Davison,
Atkinson,	Callaway,	Dean,
Austin,	Candler,	Dickey,
Ballard,	Cannon,	Donalson,
Barksdale,	Chamlee,	Dorminy,
Barrett,	Clark,	Dunbar,
Barrow,	Clifton,	Duggan,
Bell,	Collum,	Dykes,
Berry,	Cook of Chat'hoochee,	Eaves,
Blackburn,	Cook of Telfair,	Edmondson,

Edwards,	Lively,	Sheffield,
Ellison,	Lumsden,	Simmons,
Estes,	Lunsford,	Slade,
Fagan,	Matthews,	Slater,
Flanders,	MacFarland,	Smith of Calhoun,
Flannigan,	McCarthy,	Smith of Campbell,
Foster,	McIntyre,	Stephens,
Fowler,	McMahan,	Stewart,
Fraser,	McMichael,	Strickland,
Frier,	McMullan,	Stubbs,
Fullbright,	McWilliams,	Sumner,
Furr,	Martin,	Swilling,
Geer,	Massengale,	Taylor of Appling,
Gibson,	Maxwell,	Taylor of Sumter,
Glenn,	Mays,	Terrell,
Godley,	Mercer,	Thorne,
Goode,	Moore,	Thurman,
Guyton,	Morris,	Tift,
Hall,	Mundy,	Townsend,
Hamilton,	Nix,	Tracy,
Hardeman,	Nowell,	Trent,
Harris,	Odum,	Tuggle,
Haywood,	Orr,	Tyson,
Heard,	Parker,	Walker of Lowndes,
Hill,	Parrish,	Walker of Milton,
Hines,	Payton,	Walker of Wash'ton,
Holder,	Perry,	Ward,
Howard,	Persons,	Warnell,
Hubbard,	Peterson,	Watkins,
Huff,	Pope of Brooks,	White of Madison,
Huie,	Pope of Dade,	White of Screven,
Hullender,	Powell,	Whitley,
Jackson,	Price of Bartow,	Williams,
Johnson of Jasper,	Price of Oconee,	Wilson,
Johnson of Jeff Davis,	Reid of Macon,	Wise,
Johnson of Towns,	Reid of Putnam,	Wootten,
Jones of Meriwether,	Reid of Wilcox,	Wright of Floyd,
Jones of Mitchell,	Rogers,	Wright of Richmond,
Keith,	Rountree,	Wynne,
Kendall,	Russell,	Young,
Kendrick,	Ryals,	Mr. Speaker.
Lee,	Shaw,	

Those absent were Messrs.—

Atwater,

The Journal of last Friday's proceedings was read and confirmed.

Mr. Orr, chairman of the Committee on Academy for the Blind, submitted the following report:

Report of the Committee on the Georgia Academy for the Blind:

*Mr. Speaker.*

We, your Committee on the Georgia Academy for the Blind, beg leave to submit the following report:

On October the 29th, 1907, we visited the Georgia academy for the whites located at Vineville, a suburb of Macon, Georgia, where we found seventy-six pupils under the instructions of five teachers. On Madison street, Macon, Georgia, we visited the academy for the blacks, where we found twenty-six pupils under the instructions of two teachers.

In these institutions the elementary branches of an English education and manual training are taught, and the progress of the pupils, especially in mathematics and music, was far beyond our expectation. The manual training embraces broom-making, chair-caning and the like, the pupils having attained considerable proficiency in these lines. Here the thoughtful principal of this institution, Prof. G. F. Olephant, called our attention to the fact that improved machinery was fast taking the place of all manual labor, and that the most serious problem in this department is, and will continue to be, in the selection of such lines of work and giving to the blind a training which will be sufficiently remunerative to make them self-sustaining and independent regardless



of their competitor—improved machinery. As to what lines of work will most completely serve this purpose, the serious consideration and suggestions of all is requested.

The buildings and grounds are spacious, well kept and the sanitary conditions are most excellent. An atmosphere of cleanliness evidenced from the recitation halls, bed-rooms, kitchens, and the personal appearance of all, commends to our favorable consideration the manner in which this institution is being conducted and kept.

We believe that a reasonable sum expended for more modern musical instruments would be money well invested.

We are gratified to report that the policy of this institution is to educate the blind to become self-sustaining and useful citizens and to prevent any from becoming objects of charity, and to note how successfully this policy has instilled in the minds of the blind a spirit of self-reliance and independence.

Respectfully submitted.

I. N. ORR, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker·*

The Senate has concurred in the following resolution of the House, to wit:

A resolution providing for a joint session of the Senate and House of Representatives June 30, 1908, at

8 o'clock p.m., in interest of Juvenile Protective Association.

The Senate has refused to concur in the following resolution of the House, to wit:

A resolution that the House and Senate accompany the Committee on Western & Atlantic Railroad to investigate certain property belonging to State of Georgia.

The roll of counties was called and the following bills were introduced, read the first time and appropriately referred, to wit:

By Mr. Burkhalter of Tattnall—

A bill to create a new judicial circuit to be known as the Canoochee circuit.

Referred to General Judiciary Committee.

By Mr. Burkhalter—

A bill prescribing how ballots shall be printed, their custody and distribution defined, etc., and for other purposes.

Referred to General Judiciary Committee.

By Mr. Goode of Pickens—

A bill to prohibit unfair commercial discrimination between communities, etc.

Referred to Committee on General Agriculture.

By Mr. Ballard of Newton—

A resolution to pay pension due Thos. H. Greer to his widow

Referred to Committee on Pensions.

By Mr. Flanders of Johnson—

A bill to create a board of commissioners of roads and revenues for Johnson county.

Referred to Special Judiciary Committee.

By Mr. Flanders—

A bill to create the city court of Wrightsville.

Referred to Special Judiciary Committee.

By Mr. Flanders—

A bill to abolish the county court of Johnson county.

Referred to Special Judiciary Committee.

By Mr. Perry of Hall—

A bill to provide for the distribution of the convicts of this State.

Referred to the Penitentiary Committee.

By Mr. Nix of Gwinnett—

A bill to reduce the salaries of the judges of the supreme, superior and appellate courts.

Referred to Committee on General Agriculture.

By Mr. Calbeck of Gordon—

A resolution to pay a pension to Mrs. Mary McDougal.

Referred to Committee on Pensions.

By Mr. Tyson of Emanuel—

A bill to provide for the appointment of females as notaries public.

Referred to Special Judiciary Committee.

By Mr. Dean of Floyd—

A bill to regulate and prescribe the issuance of marriage licenses.

Referred to Committee on Hygiene and Sanitation.

By Mr. Guyton of Effingham—

A bill to authorize trustees of Effingham Academy to use certain funds for school purposes.

Referred to Committee on Education.

By Mr. Candler of DeKalb—

A bill to amend an Act of August 22, 1907, to make appropriation for ordinary expenses of State government.

Referred to Committee on Appropriations.

By Messrs. Heard and Adkins—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for Dooly county.

Referred to Counties and County Matters Committee.

By Mr. Adams of Chatham—

A bill to amend section 4602 of the code relating to auditors' fees.

Referred to General Judiciary Committee.

By Mr. Barrow of Chatham—

A bill to regulate practice in cases of garnishment, etc.

Referred to General Judiciary Committee.

By Mr. Barrow of Chatham—

A bill to amend section 4556 of the code.

Referred to General Judiciary Committee.

By Mr. Barrow of Chatham—

A bill to amend section 4514 of the code.

Referred to General Judiciary Committee.

By Mr. Barrow—

A bill to amend section 4518 of code.

Referred to General Judiciary Committee.

By Mr. Barrow—

A bill to amend section 4550 of the code.

Referred to General Judiciary Committee.

By Mr. Barrow—

A bill to amend section 4580 of the code.

Referred to General Judiciary Committee.

By Mr. Barrow of Chatham—

A bill to amend Act 3, section 7, paragraph 18, of the Constitution.

Referred to General Judiciary Committee.

By Mr. Barrow—

A bill to fix the time for filing pleadings and to authorize verdicts and judgments, etc.

Referred to General Judiciary Committee.

By Mr. Barrow—

A bill to amend sections 3304, 3305, 3306, and 3524, Vol. 2, of the code.

Referred to General Judiciary Committee.

By Mr. Ryals—

A bill to authorize the Governor to designate a third State depository in the city of Atlanta.

Referred to Committee on Banks and Banking.

By Mr. Donalson of Decatur—

A bill to create a charter for the town of Iron City.

Referred to Counties and County Matters Committee.

Mr. Wright of Richmond, Chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following House bills and instructed me as their chairman to report same back to the House with the recommendation that same do pass as amended, to wit:

A bill to provide for the rejection, assessment and arbitration in the case of tax returns.

A bill to provide for the collection of past due taxes to the State, counties and municipalities.

Respectfully submitted,

BOYKIN WRIGHT,  
Chairman.

Mr. Massengale, chairman of the Committee on Game and Fish, submitted the following report:

*Mr. Speaker:*

Your Committee on Game and Fish having under consideration House bill No. 723 recommend that the same do pass as amended.

MASSENGALE,  
Chairman.

The following bills were read the third time and put upon their passage, to wit:

By Messrs. Slater and Dykes—

A bill to prescribe the duty of electric telegraph companies in receiving and transmitting messages, and prescribing penalty, etc.

On motion of Mr. Bell of Fulton the above bill was tabled.

Mr. Bell then moved that 200 copies of the bill be printed, which motion prevailed.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Tift of Dougherty—

A resolution to make House bill No. 463 the special order for June 30 after confirmation of Journal.

Bills for a third reading were resumed, to wit:

By Mr. Williams of Laurens—

A resolution providing for the payment of expenses incurred by Committee to Investigate Soldiers' Home.

On motion of Mr. Candler the above resolution was tabled.

On motion of Mr. Anderson of Bulloch House bill No. 39, which was in process of being read a third time, was tabled.

On motion of Mr. Tyson 200 copies of House bill No. 39 were ordered printed.



On motion of Mr. Candler House bill No. 38 to pay expenses of Committee to investigate Soldier's Home was taken from the table.

Mr. Candler then moved that the resolution be indefinitely postponed, which motion prevailed.

On motion of Mr. Slater House bill No. 38 was tabled.

On motion of Mr. Adams House bill No. 37 was tabled.

Bills for a third reading were resumed, to wit:

By Mr. Adams of Chatham—

A bill to make it illegal to charge a rate of interest of more than 5 per cent. per month.

Mr. Adams proposed to amend as follows:

“Provided, save and except only, that regularly licensed pawnbrokers, where personal property is taken in their actual physical possession and stored by them, may charge in addition not exceeding twenty-five cents, at the time said property is taken possession of by them for issuing ticket.”

The above amendment was adopted.

Mr. Smith of Campbell proposed to amend by striking the figure 5 per cent. and insert in lieu thereof 3 per cent. The amendment was lost.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 131, nays 2.

The bill having received the requisite constitutional majority was passed as amended.

By unanimous consent the session was extended for fifteen minutes for the purpose of reading bills a second time.

The following resolution was read and referred to Committee on Rules, to wit:

By Mr. Alexander—

A resolution to make House bills Nos. 3 and 90 special orders for July 7th.

On motion of the author, House bill No. 56 was tabled.

On motion of Mr. McMahan House bill 58 was tabled.

Bills for a third reading were resumed, to wit:

By Mr. Huie of Clayton—

A bill to authorize two or more corporations to co-operate in the organization and operation of work-gangs.

The report of the committee, which was favorable to the passage of the bill as amended was disagreed to, and the bill lost.

On motion of Mr. Huie of Clayton House bill No. 63 was tabled.

On motion of Mr. Alexander the following bills were read the second time, to wit:

By Mr. White of Screven—

A resolution recommending the Hertz-McGregor system be used in the turpentine business.

By Messrs. Alexander and Odum—

A bill to extend the Western and Atlantic Railroad to the seacoast.

By Mr. Alexander—

A bill to amend section III, article 7 of the Constitution.

By Mr. Wright of Richmond—

A bill to provide for past due taxes to the State, counties and municipalities.

By Mr. Wright of Richmond—

A bill to provide for the rejection, assessment and arbitration of tax returns by railroad companies.

By Mr. Fraser—

A bill for the protection and propagation and preservation of game animals, birds and fish.

Leave of absence was granted Mr. Gibson of Glascock.

On motion of Mr. Trent of Heard, the Speaker announced the House adjourned until 10 o'clock to-morrow morning.

ATLANTA, GA.,

Tuesday, June 30, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called, and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe,	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

Atwater,

On motion of Mr. Wright of Floyd, the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bills were introduced and read the first time, to wit:

By Mr. Burwell—

A resolution for the relief of A. M. Hutchinson.

Referred to Committee on Appropriations.

By Mr. Whitley—

A bill to organize and establish a sanitarium for the treatment of tuberculosis.

Referred to Committee on Hygiene and Sanitation.

By Mr. Reid of Putnam—

A bill to repeal an Act creating a charter for Eatonton.

Referred to Committee on Corporations.

By Mr. Reid of Putnam—

A bill to create a new charter for the town of Eatonton.

Referred to Committee on Corporations.

By Mr. Persons of Monroe—

A bill to amend section 2760, volume 2 of the Code.

Referred to Special Judiciary Committee.

By Mr. Persons—

A bill to amend section 4046 of the Code.

Referred to General Judiciary Committee.

By Messrs. Donalson and Boyd—

A bill to amend section 5484 of the Code.

Referred to General Judiciary Committee.

By Messrs. Orr and Couch—

A bill to amend section 526, volume 1 of the Code.

Referred to Special Judiciary Committee.

By Mr. Flanders—

A bill to provide for good time allowance for good behavior of convicts.

Referred to Committee on Penitentiary.

By Mr. Dean of Floyd—

A bill to establish the legal weight of one bushel of peaches.

Referred to Committee on General Agriculture.

By Mr. Clifton of Toombs—

A bill to propose an amendment to paragraph 2, section 1, article 11 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Messrs. Warnell, MacFarland and Clifton—

A bill to transfer the counties of Tattnall and Toombs from the Middle circuit to the Atlantic judicial circuit.

Referred to General Judiciary Committee.

By Mr. Strickland—

A bill to incorporate the town of Williamson.

Referred to County and County Matters Committee.

By Mr. McIntyre—

A bill to prevent exorbitant attorney's fees in personal injury cases.

Referred to General Judiciary Committee.

By Mr. Stephens—

A bill to provide compensation for jurors in justice courts of Hall county.

Referred to Counties and County Matters Committee.

By Mr. Perry of Hall—

A bill to prescribe the liability of certain corporations and persons for injuries to employees.

Referred to General Judiciary Committee.

By Mr. Ward of Coffee—

A bill to amend an Act to create a new charter for the city of Douglas.

Referred to Committee on Corporations.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Mr. Persons—

A resolution to make House bill No. 670 a special order.



By Mr. Wootten—

A resolution to make House bill No. 239 a special order.

Mr. Alexander asked unanimous consent that House bills Nos. 3 and 90 be made the special order for next Tuesday immediately after the reading of the Journal, which request was granted.

Mr. Nowell, chairman of Committee on Corporations submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following House bills and direct me as their chairman to report same back to the House with the following recommendations, to wit, do pass.

An Act to incorporate the city of Kingsland.

An Act to amend an Act to incorporate the city of Cordele.

An Act to amend an Act to incorporate the city of Cordele, changing the date of opening the registration books.

An Act to amend an Act to incorporate the city of Cordele, define its limits, prescribe its powers, etc.

An Act to amend, consolidate and supersede the several Acts incorporating the city of Blue Ridge.

An Act to repeal an Act incorporating the town of Fairmount.

An Act to establish a new charter for the town of Fairmount, etc.

An Act to incorporate the town of Williamsville.

An Act to incorporate the town of Vidette, etc.

An Act to amend the charter of Midville, etc.

An Act to amend an Act creating a board of commissioners of roads and revenues for Glascock county.

An Act to amend an Act to create a board of commissioners of Monroe county.

Respectfully submitted.

This June 30, 1908.

NOWELL, Chairman.

Mr. Foster, chairman of the Committee on Pensions, submitted the following report:

*Mr. Speaker:*

The Committee on Pensions have had under consideration House bill No. 826, and recommend that the same do pass.

J. Z. FOSTER, Chairman.

The following bills were read the third time and put upon their passage, to wit:

By Mr. Foster of Cobb—

A bill to amend section 3828, Vol. 2, of the code relative to recovery of damages from corporations, etc.

On motions of Mr. Adams of Chatham, action on the above bill was postponed and the same was set for a

special order for next Thursday immediately after the confirmation of the Journal.

Mr. Adams moved that 200 copies of the above bill be printed, which motion prevailed.

By Mr. Foster of Cobb—

A bill to amend section 2316, volume 2 of the Code.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 106, nays 1.

The bill having received the requisite constitutional majority was passed.

By Mr. Foster of Cobb—

A bill to amend an Act to amend section 1, article 7, paragraph 1 of the Constitution so as to extend the provision of said section.

On motion of Mr. Alexander further action on the above bill was postponed and the same was set as a special order for Thursday next, immediately after the special order already set.

On motion of Mr. Alexander 200 copies of the above bill were ordered printed.

By Messrs. Hamilton of Columbia and Wright of Richmond—

A bill to provide a method of taking depositions to be used in the trial of civil cases without commission.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Hamilton of Columbia and Wright of Richmond—

A bill to prohibit any unauthorized person from interfering with the running of railroad locomotives and for other purposes.

The report of the committee which was favorable to the passage of the bill was agreed to.

On motion of Mr. Wise of Fayette the House reconsidered its action in agreeing to the report of the committee.

Mr. Wright of Richmond proposed to amend by adding after section 1, "Provided when the schedule of a train requires it to stop at a station or flag, in the absence of the operator, it shall not be unlawful for a person bona fide desiring to take passage on such train, to flag the same."

The amendment was adopted.

The favorable report of the committee was then agreed to as amended.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Reid of Putnam—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Putnam.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent the following resolution was introduced and read the first time, to wit:

By Mr. Smith of Campbell—

A resolution to require the State Treasurer to regard the deposit of stocks and bonds, deposited to secure policy holders as a closed transaction, etc.

Referred to the General Judiciary Committee.

By Mr. McMichael—

A resolution to make House bill No. 380 a special order.

Referred to Committee on Rules.

Mr. Whitley, chairman of the Committee on Hygiene and Sanitation submitted the following report:

*Mr Speaker:*

Your Committee on Hygiene and Sanitation has had

under consideration the following bill, and direct me, as its chairman, to report the same back to the House with the recommendation that it do pass as amended, to wit:

A bill to regulate the issuing of marriage licenses and for other purposes.

Respectfully submitted.

T. R. WHITLEY, Chairman.

By Mr. Donalson of Decatur—

A bill to regulate the carrying of pistols, repeating rifles, &c., and for other purposes.

Before the above bill could be disposed of Mr. Butt of Fannin moved to adjourn, which motion prevailed.

Leave of absence was granted Messrs. Huff of Lumpkin and Dickey of Crawford.

The Speaker then announced the House adjourned until 10 o'clock to-morrow morning.

ATLANTA, GA.,

Wednesday, July 1, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donaldson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe,	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wooten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

Atwater,

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following bills of the Senate, to wit:



A bill to prohibit leasing of misdemeanor convicts to private individuals or corporations.

Also a bill to change the school year so that the same shall begin September 1, and close August 31, of each year.

On motion of Mr. Wright of Floyd the reading of the Journal of yesterday's proceedings was dispensed with.

On motion of Mr. Slade of Muscogee House bill No. 261, which was unfavorably reported by the General Judiciary Committee, was recommitted to the Committee on Game and Fish.

The following invitation was read, to wit:

MARIETTA, GA., June 30, 1908.

*To the General Assembly of Georgia:*

On the seventh day of July, 1908, at four o'clock p.m., the Ladies' Memorial Association and Kennesaw Chapter U. D. C., at Marietta, Georgia, will unveil a magnificent monument in the Confederate cemetery at Marietta, Georgia, now the State property, to the memory of over 3,000 Confederate soldiers there buried. This monument has been erected by us without cost to the State.

We cordially invite you, together with the attaches of the House and Senate, to attend in a body and participate in the exercises.

We have labored long and faithfully under trying and adverse circumstances, caring for and protecting the

graves of these silent heroes. We most earnestly and sincerely request you to honor us with your presence on this occasion.

Very respectfully,

THE LADIES MEMORIAL ASSOCIATION AND KENNESAW  
CHAPTER U. D. C.

Per Mrs. R. L. Nesbitt, President.

The following resolution was read and adopted, to wit:

By Messrs. Foster and Anderson of Cobb—

A resolution providing for acceptance of invitation to visit Marietta and providing also for a Committee on Arrangements.

By unanimous consent the following bills were introduced and read the first time, to wit:

By Mr. Burwell of Hancock—

A bill to amend sub-section 1, of section 629, volume 3 of the Code, relative to selling of votes, &c.

Referred to the General Judiciary Committee.

By Messrs. Barksdale, Burwell, Covington, Persons, Barrett, Nowell—

A bill to establish the Insurance Department of Georgia; to provide for the conduct of the same and for other purposes.

Referred to Committee on Corporations.

By Mr. Peterson—

A bill to incorporate the town of Orland.

Referred to Special Judiciary Committee.

By Mr. Barrett—

A bill to prescribe how pensions shall be paid.

Referred to Committee on Pensions.

By Mr. Blackburn—

A resolution for the relief of Mrs. Tallulah Towns.

Referred to Committee on Pensions.

By Mr. Barrett—

A bill to amend an Act approved August, 1907, to make appropriations for expenses of State government.

Referred to the Appropriation Committee.

By Messrs. Heard and Adkins—

A bill to amend an Act to incorporate the city of Vienna.

Referred to Committee on Corporations.

By Mr. Hines—

A bill to amend section 386, volume 1 of the Code.

Referred to the General Judiciary Committee.

By Messrs. Nowell and Arnold—

A bill to incorporate the town of Between.

Referred to Committee on Corporations.

By Mr. Huie—

A bill to prohibit betting on elections.

Referred to Committee on Temperance.

By Messrs. Price, Barksdale, Holder and Butt—

A bill to extend the present school book contract until January 1, 1911.

Referred to Committee on Education.

By Mr. Mundy—

A bill to make betting on elections or primaries unlawful.

Referred to Committee on Privileges.

By Messrs. Nowell and Arnold—

A bill to incorporate the town of Gratis.

Referred to Committee on Corporations.

By Messrs. McMahan, Russell and Slade—

A bill to exempt police and firemen from the exclusion of free passes.

Referred to Committee on Corporations.

By Mr. McMichael —

A bill to amend an Act of November 1, 1896, so as to allow payment of salaries to county school commissioners in certain counties.

Referred to Committee on Education.

By Messrs. Couch and Orr—

A bill to amend an Act providing for local tax school districts, &c.

Referred to Committee on Education.

By Mr. Simmons of Gilmer—

A bill to repeal an Act to incorporate the town of Elijay.

Referred to Special Judiciary Committee.

By Mr. Simmons—

A bill to create a new charter for the town of Elijay.

Referred to Special Judiciary Committee.

By Messrs. Jones and Keith of Meriwether—

A bill to incorporate the town of Chalybeate Springs.

Referred to Committee on Corporations.

By Mr. Blackburn—

A resolution providing that Van Epps' Form Book be furnished to public officers of the State.

Referred to the General Judiciary Committee.

By Mr. Blackburn—

A bill providing that the registration books be closed in counties having cities of 75,000 or more inhabitants, thirty days before elections.

Referred to Special Judiciary Committee.

By Mr. Wise of Fayette—

A bill to amend section 982, volume 1 of the Code so as to add Fayetteville to list of State depositories.

Referred to Special Judiciary Committee.

By Mr. Blackburn—

A bill to amend an Act to collect tax for the support of the government for 1908 and 1909.

Referred to Committee on Ways and Means.

By Mr. Taylor of Sumter—

A resolution to pay pension to widow of Frank Johnson.

Referred to Committee on Pensions.

By Mr. Townsend of Clinch—

A bill to create the city court of Homerville.

Referred to Special Judiciary Committee.

On motion of Mr. Sumner of Turner, House bill No. 831 was taken from the Special Judiciary and re-re-

ferred to the Committee on Counties and County Matters.

On motion of Mr. Slade of Muscogee, Senate bill No. 123 was recommitted.

Mr. Hines, acting chairman of Committee on Rules, submitted the following report:

*Mr. Speaker:*

Your Committee on Rules has had under consideration the following House resolution and instructed me as their acting chairman, to report same back to the House with the recommendation that same do pass as amended.

A resolution to make House bill 463 special order on Wednesday, July 1, 1908.

Respectfully submitted.

E. R. HINES, Acting Chairman.

The following bill, which was set for a special order for this time by the Committee on Rules was read the third time and put upon its passage, to wit.

By Mr. Tift of Dougherty—

A bill to require railroad companies doing business in this State to equip their locomotives with sufficient electric headlight.

Mr. McIntyre proposed to amend by inserting the following paragraph:

“Provided this Act shall not apply to tram-roads, mill-roads, and roads engaged principally in lumber or logging transportation in connection with mills.”

Mr. Tift proposed to amend by striking the figures, “1908,” at end of section 3, and insert the figures, “1909.”

The committee proposed to amend by striking from line 6, section 1, the words “of at least 1500” candle power between the words “headlight” and “and” in line 6 and substitute the sentence “which shall not consume not less than 300 watts at the arc.”

The above amendment was adopted.

The report of the committee which was favorable to the passage of the bill as amended was agreed to.

Mr. Warnell moved that the house reconsider its action in agreeing to the report of the committee for the purpose of allowing him to offer an amendment which motion was lost.

On the passage of the bill the ayes were 131, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

On motion of the author, House bill No. 21 was taken from the table and placed on the Calendar.

By unanimous consent the following bills were read the first time, to wit:



By Mr. Boyd of Spalding—

A bill to regulate the running of automobiles in this State.

Referred to Committee on Roads and Bridges.

By Mr. Slade of Muscogee—

A bill to establish by law when the disfranchisement amendment to the Constitution of Georgia shall go into effect.

Referred to the General Judiciary Committee.

By Mr. White of Screven—

A bill to amend paragraph 2, section 1, article 11 of the Constitution so as to create the new county of Black-shear.

Referred to Committee on Constitutional Amendments.

By Mr. Candler of DeKalb—

A resolution to approve the application of the Board of Trustees of the University, to participate in the Carnegie Foundation for advancement of teaching.

Referred to Committee on University of Georgia.

ATLANTA, GA., July 1, 1908.

The following message was received from his Excellency the Governor through his Secretary, Mr. Carter:

*Mr. Speaker:*

I am directed by his Excellency, the Governor, to deliver to the House of Representatives a communication in writing.

July 1, 1908.

*To the Senate and House of Representatives:*

I transmit herewith papers which have reference to the Carnegie Foundation Fund.

This fund creates pensions in old age for a class of educators to which it applies.

I am advised that the professors of the University of Georgia may participate in this fund, provided the board of trustees of the University, the Governor of the State and the General Assembly give their formal approval to such participation.

The trustees of the University have unanimously expressed their desire that the University of Georgia participate in the benefits of the fund. I transmit copies of reports to the board made by a special committee of trustees appointed to investigate the subject, together with copy of a letter from Dr. H. C. White, of the University, fully presenting the facts with reference to this fund; and, also, copy of a report from the faculty showing that the University will be prepared in 1909 and 1910 to meet the scholastic requirements of the Carnegie Foundation Fund.

It affords me pleasure to give my hearty approval to

participation in this fund by the University and to submit the matter for your consideration with the hope that you, also, may see fit to give it your approval.

HOKE SMITH, Governor.

June 18, 1908.

*His Excellency, Hon. Hoke Smith, Executive Office, Atlanta.*

DEAR SIR: I transmit to you herewith a report made by a special committee of the Board of Trustees of the University of Georgia, at its recent session.

As you will observe this report deals with the Carnegie Foundation Fund. In order that the University may be placed in a position where it may enjoy participation in this fund, it is conditioned that in addition to the action of the board, the formal approval of the Governor and the General Assembly, is necessary.

To this report is also attached a report of the Faculty of the University, stating that it will be prepared for the session of 1909-10 to meet the scholastic requirements of the Carnegie Foundation in the matter of curriculum standard.

The report of the special committee herewith attached, having been unanimously adopted by the trustees, as was also the report of the faculty, the special committee of the trustees, was requested to place the matter before you with the request that if, in your judgment you can consistently do so, you will give the same your approval,

and transmit the report to the General Assembly for its approval.

Very truly yours,

CLARK HOWELL, Chairman.

*To the Board of Trustees.*

GENTLEMEN: The undersigned committee, charged with the duty of investigating and reporting upon the Carnegie Foundation Fund, and making recommendation as to the University of Georgia, applying for its privileges and benefits, beg to submit herewith a detailed report of Dr. H. C. White, which gives the desired information. Dr. White was a member of the committee which took up with Mr. Carnegie the matter of including State Universities in the benefits and privileges of this fund; and it was in response to the suggestions of this committee that Mr. Carnegie increased his original endowment of \$10,000,000 to \$15,000,000, in order that State and tax-supported institutions might be included in the list of institutions enabled to become beneficiaries of his munificence in this respect.

The only condition placed by Mr. Carnegie to full participation in the benefits and privileges of this fund, by state and tax-endowed institutions, is that such participation may be agreeable to the trustees of such institutions and to the Governor and the General Assembly of the States, respectively.

We accordingly recommend the adoption of the following resolution, by this board:

*Resolved*, by the board of trustees of the University of Georgia, that, appreciating the noble purpose of Mr. Andrew Carnegie in establishing the Carnegie Foundation for the advancement of teaching, and recognizing its far reaching and munificent results in advancing the dignity of the profession of teaching, in protecting the old age of valuable and unselfish public servants and in increasing the efficiency and in promoting the elevation of scholastic standards in American colleges and universities, they desire that the University of Georgia shall participate in the benefits of this foundation.

They, therefore, hereby make application for the admission of the University of Georgia into all the rights and privileges of the Carnegie Foundation for the advancement of teaching, for the University of Georgia, and such of its departments as may become eligible thereto.

*Resolved, further*, that this action be submitted to the Governor of the State, and by him to the General Assembly with the respectful recommendation that the assent of both the Governor and the General Assembly be given thereto.

Respectfully submitted.

CLARK HOWELL, Chairman.

N. E. HARRIS,

A. O. BACON.

Athens, Ga., June 15, 1908.

UNIVERSITY OF GEORGIA, June 13, 1908.

*Messrs. Clark Howell, A. O. Bacon, N. E. Harris, Committee.*

GENTLEMEN: Complying with your request I present the following brief statement of the nature and purposes of the Carnegie Foundation for the advancement of teaching and of the terms and conditions upon which the University of Georgia may be admitted to the benefits thereof. I quote for the most part from the published bulletins and reports of the Foundation.

The Carnegie Foundation for the advancement of teaching had its inception on April 16, 1905, when Mr. Andrew Carnegie, of New York, addressed letters to twenty-five gentlemen, among them the presidents of a number of the leading universities of America, asking them to become trustees of a fund of \$10,000,000 which he proposed to establish. Mr. Carnegie expressed his wishes in a letter of which the following is a part:

NEW YORK, April 16, 1905.

GENTLEMEN: I have reached the conclusion that the least rewarded of all the professions is that of the teacher in our higher educational institutions. New York City generously, and very wisely, provides retiring pensions for teachers in her public schools and also for her policemen. Very few, indeed, of our colleges are able to do so. The consequences are grievous. Able men hesitate to adopt teaching as a career, and many old professors, whose places should be occupied by younger men, can not be retired.

I have therefore transferred to you and your successors, as trustees, \$10,000,000, 5% first mortgage bonds of the United States Steel Corporation, the revenue from which is to provide retiring pensions for the teachers of Universities, Colleges, and Technical Schools in our country, Canada and Newfoundland under such conditions as you adopt from time to time. Expert calculations show that the revenue will be ample for the purpose.

The fund applies to the three classes of institutions named, without regard to race, sex, creed or color. We have, however, to recognize that State and Colonial Governments, which have established or mainly supported universities, colleges or schools, may prefer that their relations shall remain exclusively with the State. I can not, therefore, presume to include them.

Such institutions as are under the control of a sect or require trustees (or a majority thereof), officers, faculty or students to belong to any specified sect, or which impose any theological test, are to be excluded.

I hope this fund may do much for the cause of higher education and to remove a source of deep and constant anxiety to the poorest paid and yet one of the highest of all professions.

Gratefully yours,

(Signed)           ANDREW CARNEGIE.

The trustees were erected into a corporation by an act of Congress approved March 10, 1906.

Colleges, universities and technical schools maintained

by State and Colonial governments had not been included by Mr. Carnegie in his original letter of gift. The representatives of these institutions felt that this exclusion placed them at a grave disadvantage in many ways with the included privately-endowed institutions. Accordingly in 1906 the Association of American State Universities and of American Land-Grant Colleges appointed a joint committee to represent to the trustees of the Carnegie Foundation the propriety and wisdom of admitting State-controlled institutions to the benefits of the Foundation. This committee appeared before the trustees in New York City in November, 1906, and again in November, 1907. The advantages of the retiring allowance system to an institution were obvious. It was represented that the exclusion of State-controlled institutions limited, practically, the benefits of the Fund to a comparatively small group of colleges in Eastern and Middle States, whereas the chief work in higher education in the great States of the South and West was done by State institutions. It was pointed out that, aside from the matter of the retiring allowance system, the great influence of the Foundation in standardizing and elevating the grade of teaching in American colleges could only be national in character and effective in fact by including the State institutions which performed, by far, the larger part of the work of higher education in America. The arguments presented were finally effective and on March 31, 1908, Mr. Carnegie addressed the following letter to the president of the Foundation:

NEW YORK, March 31, 1908.

DEAR SIR: Your favor of to-day informs me of the desire of the professors of State Universities to be em-



braced in the pension fund, as shown by a resolution unanimously adopted by their National Association.

In my letter of April 16, 1905, handing over the fund to my trustees, the following occurs:

"We have, however, to recognize that State and Colonial governments which have established or mainly support universities, colleges or schools, may prefer that their relations shall remain exclusively with the State. I can not, therefore, presume to include them."

I beg now to say that should the governing boards of any State universities apply for participation in the Fund and the Legislature and Governor of the State approve such application it will give me great pleasure to increase the Fund to the extent necessary to admit them. I understand from you that if all the State universities should apply and be admitted \$5,000,000 more of 5 per cent. bonds would be required, making the Fund \$15,000,000 in all.

From the numerous letters I have received and the warm approval of the press and the public I am satisfied that this fund is and must be for all time productive of lasting good not only to the recipients but to the cause of higher education.

Most grateful am I to be privileged as trustee of this wealth to devote it to such a cause.

Truly yours,

(Signed)           ANDREW CARNEGIE.

On May 7, 1908, the trustees of the Foundation ac-

cepted Mr. Carnegie's proposal concerning tax-supported institutions and adopted the rules which provide for the admission of institutions, whether tax-supported or endowed by individuals.

To render the Foundation a more integral part of higher education in America, the trustees desire, as far as may be, to have their relations with the institutions of higher education rather than with the individual professors. For this purpose the Foundation receives applications from institutions to be placed upon a list of colleges, universities and technical schools which the trustees have designated as the accepted list. Applications to be placed upon this list on behalf of institutions must be made by the board in which the government of the institution is vested. In the case of tax-supported institutions the applications must be accompanied by the approval of the Governor and of the Legislature of the State or province in which the institution is situated.

In order to be admitted to the retiring allowance system of the Foundation the essential work of an institution must be that of higher education and of such a character that graduation from a four-year high school course or equivalent training is a reasonable prerequisite therefor.

An institution to be ranked as a college must have at least six professors giving their entire time to college and university work, a course of four full years in liberal art and sciences, and should require for admission not less than the usual four years of academic or high school preparation, or its equivalent in addition to the pre-academic or grammar school studies.

A technical school to be eligible must have entrance and graduation requirements equivalent to those of the college and must offer courses in pure and applied science of equivalent grade.

An institution not supported by taxation, in order to meet the requirement in regard to endowment, must have a productive endowment of not less than \$200,000 over and above any indebtedness of the institution. A tax-supported institution must be in receipt of an annual income of not less than \$100,000.

Professors in institutions on the accepted list receive their retiring allowances as a right after complying with the conditions of services given in the rules. Without quoting these rules in detail, it may be said that the retiring allowances are made upon a most liberal basis. The trustees have adopted a scale under which a teacher who is receiving a low salary is granted a much higher percentage of his salary than is granted to one receiving a higher salary. Thus for a salary below 1,200.00 a pension of \$1,000.00 or a sum not to exceed 90 per cent. of the active pay is granted as a retiring allowance.

There can be no question of the advantages to an institution in being placed on the accepted list of the Carnegie Foundation. The retiring allowance is itself a direct pecuniary benefit, inasmuch as it renders service in such an institution the more attractive to able and desirable men. Prestige is given the institution and its standard as a genuine college or university, comparable in standing with other high grade American institutions of higher learning, attested impartially and beyond dispute.

It will be observed that the Carnegie Foundation has nothing whatever to do with the government, the management or the work of the institutions admitted to its benefits. It simply ascertains in the first instance whether an institution is entitled by character, standard, and endowment to be placed on the accepted list. This done, the Foundation has nothing further to do with the institution except to provide the retiring allowances as they may become due under the general regulations of the Foundation and automatically in the institutions themselves. At the same time it is quite certain that much of great value to the scholarship and standard of teaching of the accepted institutions may be expected from the consequent somewhat intimate association, through the Foundation, of the great collegiate institutions in America.

Practically all the great privately endowed institutions of higher learning in America—such as Harvard, Yale, Columbia, Princeton, Johns Hopkins—are now on the accepted list of the Foundation. The great State universities are rapidly making application for admission.

In our own case the faculty of the University has adopted slight and desirable changes in the requirements for admission by which the University will have reached the Foundation standards at the opening of the session of 1909-10. All that remains is for the board of trustees to make formal application for admission of the University to the accepted list of the Carnegie Foundation and the approval of the application by the Governor and the Legislature.

As of possible service I append the form of applica-

tion which has recently been adopted by the University of Virginia.

Very respectfully yours,

H. C. WHITE.

June 2, 1903.

*Mr Chancellor:*

I am directed by the faculty to report the following action adopted by that body, which will require the approval of the honorable board of trustees:

1. The faculty respectfully reports that, in its opinion, we shall be prepared in 1909-10 to meet the scholastic requirements of the Carnegie Foundation.

Very respectfully,

W D. HOOPER,

Secretary of the Faculty.

Recommended for passage

HOWELL,	} Special Committee.
BACON,	
HARRIS.	

Mr. Foster, chairman of the Committee on Pensions, submitted the following report:

*Mr. Speaker:*

The Committee on Pensions having had under consideration the bills named below, recommend that the same do pass.

No. 777.—To amend Constitution so as to increase pensions after certain age.

No. 46.—To define the meaning of the word “poverty.”

No. 107.—To define the meaning of the word “poverty.”

No. 99.—To pay pension to Mrs. L. L. Hodge.

No. 105.—To pay pension to Mrs. S. F. Croin.

No. 86.—To pay pension to Mrs. Sarah Currains.

No. 112.—To pay pension to W. J. Standford.

No. 9.—To permit Confederate soldiers and widows to file proofs of service with Pension Commissioner.

J. Z. FOSTER, Chairman.

Mr. McMahan of Clarke, chairman of the Committee on University of Georgia, submitted the following report:

*To the House of Representatives of Georgia:*

The Committee on the University of Georgia met at

Athens, Georgia, pursuant to the call of its chairman, on September 24, 1907

Only one day was spent in Athens. During this one day the committee visited, first, the University; second, the agricultural building, in process of erection, and farm, and third, the State Normal College.

Upon leaving Athens the committee divided, one portion going to Dahlonega to the North Georgia Agricultural College, the other portion to Milledgeville, to the Georgia Normal and Industrial College, the committee reuniting in Atlanta and visiting the Technological school.

You will readily see that in the very limited time at each institution very little personal investigation could be made.

#### THE STATE UNIVERSITY.

Here the committee was met by the distinguished and beloved Chancellor and the able faculty. The student body was presented to us and this committee comments, with pride, upon the excellent bearing and conduct of the student body. The attendance was unusually large and practically every department was crowded to the limit. The elegant new library building, the gift of Mr. George Foster Peabody, with its great library, had just been opened. The "Old College"—the first home of the first chartered State University of the United States—was examined and found to have been condemned as dangerous by architects and university authorities. The chapel too small to accommodate the public to any extent, the eating house, where good

board was had at \$9.00 per month and the dormitories were glanced over. Then the committee went to the new

#### AGRICULTURAL BUILDING

then being built upon the one thousand acre farm which is in the edge of the city of Athens. This farm was a recent gift from the friends of the University and more than \$100,000.00 was paid for the same. Great provisions are being made here to teach agriculture, dairying and all kindred branches and to teach these most thoroughly. And yet, no provision was made by our body in 1907 for the maintenance of this great school.

From the agricultural building the committee went to the

#### STATE NORMAL COLLEGE

where the able president and able faculty and an earnest, hard working student body of about four hundred and fifty were met: Here, too, everything was filled to overflowing with students seeking to fit themselves for teaching in the public schools of Georgia. We found here a need of more room, of a better water supply, of provision for an infirmary, for furnaces to heat the building and for funds with which to pay teachers. Not only are the salaries of the teachers in this college too small to keep individuals of their abilities in the profession, but the teachers of this institution are actually paying from their own small salaries the salaries of other teachers which the school must have and for which the State has made no provision.

From Athens a portion of the committee visited the



## NORTH GEORGIA AGRICULTURAL COLLEGE

at Dahlonega. Here we met the able president and faculty and a splendid body of one hundred and seventy-five young men and about twenty-five young women. We found this institution crowded and lodging quarters rented for the use of the students. However, a new dormitory was nearing completion and the young men can nearly all find lodging in this. There is no dormitory for young women and because of this fact the attendance of young women is small.

From Athens a portion of the committee went to the

## GEORGIA NORMAL AND INDUSTRIAL COLLEGE,

at Milledgeville. Here were gathered a splendid faculty with about five hundred bright, beautiful young women. Every department was crowded. A new dormitory was almost ready for occupancy. But with this many applicants are turned away for want of room. Every appearance indicated thorough and efficient work.

Both sections of the committee met at the

## TECHNOLOGICAL SCHOOL.

This great institution, with its able president, efficient faculty and five hundred students, with its workshops and lecture rooms was a most interesting study. This school is also turning away applicants for admission because of lack of room. We believe this school is doing a great work for the industrial development of our State and section.

## SUGGESTIONS.

First. It is impossible for the committee, as a body, to inspect and investigate the State's institutions of learning in the limited time allotted to this committee.

Second. That "Old College" in Athens, the first home of the State University, built in 1801, be repaired before it is too late. We are informed that it can be repaired at a cost of about \$12,500.00. This building is badly needed at present for dormitory room.

Third. That more room, both for lodging and serving meals, should be provided for this growing institution. Although the oldest chartered State University, yet this institution is growing rapidly and accommodation for its growth must be provided. Great interest in her future is being manifested by all her friends, including her student body. Large gifts are being made to her by her friends and Georgians should ever be proud of her and the work she is doing.

Fourth. Certainly something will be done for the State Agricultural College. Our failure to provide for this institution at our last session would have closed it entirely, but for the fact that its friends have financed it. Immediate action on this matter is absolutely necessary.

Fifth. The State Normal College is in sore need. We feel sure that every lover of the common schools of our State will come to her aid. Her friends have given far more to her buildings and equipment than has our State and these friends stand ready to give more when the State shows a full appreciation of this, the very foundation school of our common school system.

Sixth. At Dahlongega we think a dormitory for the young ladies of the North Georgia Agricultural College would be a desirable addition. We commend this school most highly

Seventh. At the Georgia Normal and Industrial College, at Milledgeville, certain equipments are needed to properly utilize the buildings now there. And if all applicants for admission be taken, more buildings are an absolute necessity

Eighth. And at the Technological School there must be expansion along a number of lines to meet its large growth. Generous friends have contributed much to this institution, and because of its great work the State of Georgia can not afford to fail to give to this institution a full measure of support.

Ninth. In these various institutions we found more than 2,200 students. During the past school year one thousand students—young Georgians with ambitions to secure an education, ambitious to develop every power that God has given the Anglo Saxon—were denied admission because of lack of room.

Tenth. We would beg every loyal Georgian to visit and investigate each one of these great institutions. Surely nothing within the borders of our State is so important as the training of our young men and women. Investigate the support given to these institutions and compare this support with that given by many of our sister States to their similar institutions. This comparison will not be pleasant but it will be the means of arousing us to greater work. Georgia must not get behind.

“Our country stands with outstretched hands  
Appealing to her girls and boys,  
From them must flow her weal or woe,  
Her anguish or her joys.”

Respectfully submitted.

J. J. C. McMAHAN, Chairman.

The following bill which was under consideration when the House adjourned on yesterday was taken up under the head of unfinished business, to wit:

By Mr. Donalson of Decatur—

A bill to regulate the carrying of pistols, repeating rifles, &c., and for other purposes.

The committee proposed to amend as follows: To amend by making “section 2,” “section 3,” and by making “section 3,” “section 4.”

Also to amend by adding a new section: “Sec. 2. Nothing in this Act shall be construed so as to permit any person to carry concealed weapons in this State, or that will in any way nullify any of the provisions of section 341, volume 3 of the Penal Code of Georgia of 1895.”

The following substitute was offered by Mr. Donalson, to wit:

A bill to prohibit any person having or carrying about his person in any county in this State any pistol or repeating rifle without having a license from the ordinary

in the county in which the weapon is carried and for other purposes.

The above substitute was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to by substitute.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Hamilton,	Reid of Putnam,
Adams of Wilkinson,	Harris,	Rogers,
Adkins,	Heard,	Rountree,
Anderson of Bulloch,	Hill,	Russell,
Anderson of Cobb,	Howard,	Ryals,
Atkinson,	Huie,	Shaw,
Barksdale,	Johnson of Jeff Davis,	Sheffield,
Bell,	Jones of Meriwether,	Slade,
Blackburn,	Jones of Mitchell,	Slater,
Brown of Oglethorpe,	Keith,	Stubbs,
Buchannon,	Kendrick,	Sumner,
Callaway,	Lee,	Taylor of Appling,
Clark,	Lively,	Taylor of Sumter,
Clifton,	Lunsford,	Thorne,
Culbreth,	MacFarland,	Townsend,
Davison,	McCarthy,	Tracy,
Donalson,	Martin,	Tyson,
Duggan,	Massengale,	Walker of Wash'ton,
Fagan,	Mays,	Ward,
Flanders,	Mercer,	White of Screven.
Foster,	Moore,	Williams,
Fowler,	Morris,	Wise,
Fraser,	Parker,	Wynne,
Frier,	Parrish,	Young,
Fullbright,		

Those voting in the negative were Messrs.—

Arnold,	Edwards,	Perry,
Austin,	Flannigan,	Persons,
Ballard,	Furr,	Peterson,
Barrett,	Glenn,	Pope of Brooks,
Berry,	Godley,	Pope of Dade,
Bond,	Goode,	Powell,
Boyd,	Guyton,	Reid of Macon,
Brown of Carroll,	Hines,	Simmons,
Burkhalter,	Holder,	Smith of Calhoun,
Calbeck,	Hubbard,	Smith of Campbell,
Candler,	Hullender,	Stephens,
Chamlee,	Jackson,	Stewart,
Collum,	Johnson of Jasper,	Strickland,
Cooke of Thomas,	Johnson of Towns,	Swilling,
Covington,	Lumsden,	Terrell,
Couch,	McIntyre,	Thurman,
Cowan,	McMahan,	Trent,
Crawford,	McMullan,	Walker of Milton,
Davis,	McWilliams,	Watkins,
Dean,	Nix,	White of Madison,
Eaves,	Orr,	Wilson,
Edmondson,		

Those not voting were Messrs.—

Adams of Chatham,	Dunbar,	Nowell,
Alexander,	Dykes,	Odum,
Allen,	Ellison,	Payton,
Ashley,	Estes,	Price of Bartow,
Atwater,	Geer,	Price of Oconee,
Barrow,	Gibson,	Reid of Wilcox,
Bowen,	Hall,	Tift,
Burwell,	Hardeman,	Tuggle,
Butt,	Haywood,	Walker of Lowndes,
Cannon,	Huff,	Warnell,
Cook of Chat'hoochee,	Kendall,	Whitley,
Cook of Telfair,	Matthews,	Wootten,
Crumbley,	McMichael,	Wright of Floyd,
Daniel,	Maxwell,	Wright of Richmond,
Dickey,	Mundy,	Mr. Speaker.
Dorminy,		

Ayes 73, nays 64.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 73, nays 64.

The bill having failed to receive the requisite constitutional majority, was lost.

Mr. Donalson gave notice that at the proper time he would move to reconsider the action of the House in refusing to pass the above bill.

The Speaker announced the following committee to arrange for transportation of General Assembly to Marietta :

Messrs. Anderson of Cobb, Foster of Cobb, and Stewart of Taylor.

Leave of absence was granted to Mr. Martin of Elbert.

On motion of Mr. Swilling, the Speaker announced the House adjourned until 10 o'clock to-morrow morning.

ATLANTA, GA.,

Thursday, July 2, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe,	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,



Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether.	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

Atwater,

By unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Donalson of Decatur, who on yesterday gave notice that he would do so, moved to reconsider the action of the House in defeating House bill No. 86, relative to the carrying of pistols, rifles etc.

On the motion to reconsider Mr. Wilson called for the ayes and nays, which call was not sustained.

On the motion to reconsider the ayes were 84, nays 54. The motion therefore prevailed.

Mr. Edwards of Habersham arose to a question of personal privilege, and repudiated certain statements made in the Macon Telegraph and Macon News in regard to the conduct of the sub-committee of the Penitentiary Committee, which visited convict camp at Macon.

By unanimous consent the following bills were introduced and read the first time, to wit:

By Mr. Swilling—

A bill to make it unlawful for any person to carry a pistol less than 24 inches in length, etc.

Referred to General Judiciary Committee.

By Mr. Lumsden of White—

A bill to amend an Act to create a board of commissioners for turnpike roads in this State, etc.

Referred to Counties and County Matters Committee.

By Mr. Brown of Carroll—

A resolution providing that when the House adjourns on Friday it stand adjourned until Monday Morning 10 o'clock.

Referred to Committee on Rules.

By Mr. Goode of Pickens—

A resolution to pay Mrs. Mary Blackshear a pension.

Referred to Committee on Pensions.

By Mr. Holder of Jackson—

A bill to amend an Act to create the Georgia State Reformatory.

Referred to Committee on Appropriations.

By Mr. Wilson of Gwinnett—

A bill to amend an Act creating the city court of Buford.

Referred to Special Judiciary Committee.

By Mr. Candler—

A bill to appropriate \$30,000 to University of Georgia for support of Agricultural College.

Referred to Committee on Appropriations.

By Mr. Bowen—

A bill to amend an Act amending an Act entitled an Act to amend an Act to create the city court of Tifton.

Referred to Special Judiciary Committee.

By Mr. Godley—

A bill providing in advance for eligibility of pensioners.

Referred to Committee on Pensions.

By Mr. Trent—

A bill to incorporate the town of Franklin.

Referred to Committee on Corporations.

By Mr. Godley—

A bill to incorporate the town of Woodbine.

Referred to Committee on Corporations.

By Mr. Candler—

A bill to increase appropriations made in general appropriation bill of 1907 for salaries, etc., of the Railroad Commission.

Referred to Committee on Appropriations.

By Mr. Burwell—

A bill to amend an Act to create the city court of Sparta.

Referred to Special Judiciary Committee.

By Mr. Burwell—

A bill to incorporate the town of Culverton.

Referred to Special Judiciary Committee.

By Mr. Brown of Carroll—

A bill to amend an Act to regulate the registration, sale, inspection and analysis of commercial fertilizers, etc.

Referred to Committee on General Agriculture.

Mr. Slade of Muscogee asked that the printed copy of House bill No. 463 be established for the original bill, inasmuch as the original bill had been accidentally misplaced by one of the friends of the measure who had given his receipt for same to the clerk. The request was granted.

Mr. Heard, chairman of the Committee on Banks and Banking, submitted the following report:

*Mr Speaker:*

Your Committee on Banks and Banking, having had under consideration bills 856 and 780, and have instructed me as their chairman to report same back with recommendation that they do pass.

HEARD, Chairman.

Mr. Russell, chairman of the Committee on Privileges and Elections, submitted the following report:

*Mr Speaker:*

Your Committee on Privileges and Elections have had under consideration the following House bill and instructed me, as their chairman, to report same back to the House with recommendation that same do pass, to wit:

A bill, No. 888, to be entitled an Act to make betting on elections or primaries in this State unlawful, to fix the penalty therefor, and for other purposes.

Respectfully submitted.

CHAS. R. RUSSELL, Chairman.

Mr. Wright of Richmond, chairman of Committee on General Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on General Judiciary has had under consideration the following House bills and instructed me, as their chairman, to report same back to the House with recommendation that same do not pass, to wit:

A bill to levy a tax on pistols sold in Georgia.

A bill to authorize judges of courts of record to impose conditional sentences.

Also the following House bill with recommendation that same do pass, to wit:

A bill to amend section 5484 of Code of Georgia of 1895.

Also, the following House bill with recommendation that same do pass as amended, to wit:

A bill to amend section 3667 of the Code of Georgia of 1895.

Also, the following House bill with the recommenda-

tion that same be re-referred to Committee on Banks and Banking:

A bill to amend section 982 of the Code of Georgia of 1895.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr Speaker:*

Your Committee on County and County Matters has had under consideration the following House bills and as its chairman I am instructed to report the same back with the following recommendations:

House bill 739, do not pass.

House bill 845, do pass.

House bill 741, do pass as amended.

House bill 857, do pass.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

This July 2, 1908.

Mr. Martin, chairman of Committee on General Agriculture, submitted the following report:

*Mr Speaker:*

Your Committee on General Agriculture has had under consideration the following House bill and instructs me, as their chairman, to report same back to the House with the recommendation that same do pass, to wit:

A bill to regulate the business of commission merchants, and for other purposes.

Also, the following House bill with recommendation that same do not pass, to wit:

A bill to create a Bureau of Fisheries in Georgia.

Respectfully submitted.

L. H. O. MARTIN, Chairman.

Mr. McMichael, chairman of the Committee on Education, submitted the following report :

*Mr Speaker:*

Your Committee on Education has had under consideration the following House bill and instructs me, as its chairman, to report that the same do not pass, to wit:

House bill No. 740.

Respectfully submitted.

McMICHAEL, Chairman.

We, the undersigned members of the General Judiciary



Committee submitted the following minority report on House bill No. 3828:

*Mr. Speaker:*

We, the undesigned members of the General Judiciary Committee, believing that House bill No. 65, entitled an Act to amend Code section 3828 is too extreme and should not become a law, we beg leave to file this, a minority report adverse to the passage of the proposed bill.

Respectfully submitted.

ERLE M. DONALSON,  
W. G. WARNELL,  
JOSEPH D. BOYD,  
A. P. ADAMS,  
W. H. BARROW,  
FERMOR BARRETT,  
W. S. HUFF,  
W. F. SLATON,  
S. J. TYSON.

Mr. Adkins of Dooly requested the Speaker to enforce Rule No. 174, prescribing who are entitled to the privileges of the floor, whereupon the Speaker directed the Clerk to read the rule and those not coming within its provisions were asked to retire from the hall.

Mr. Foster of Cobb moved that the printed copy of the following bill be established for the original bill, inasmuch as the original bill had been lost in transmission from the printer, and had not been returned into the custody of the Clerk, which motion prevailed, and

the bill which was made the special order for this morning's session, was read a third time and put upon its passage, to wit:

By Mr. Foster of Cobb—

A bill to amend section 3828, volume 2 of the Code, relative to recovery of damages for personal injury, &c.

On motion of Mr. Hall of Bibb the above bill, together with the substitutes and amendments thereto were recommitted to the General Judiciary Committee.

Leave of absence was granted Messrs. Butt of Fannin, Eaves of Haralson, Reid of Putnam, Williams of Dodge, Matthews of Laurens, Reid of Wilcox.

On motion of Mr. Huff of Lumpkin the speaker announced the House adjourned until 10 o'clock to-morrow morning.

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ATLANTA, GA.,

Friday, July 3, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Daniel.	Johnson of Jasper,
Adams of Elbert,	Davis,	Johnson of Jeff Davis,
Adams of Wilkinson,	Davison,	Johnson of Towns,
Adkins,	Dean,	Jones of Meriwether,
Alexander,	Dickey,	Jones of Mitchell,
Allen,	Donalson,	Keith,
Anderson of Bulloch,	Dorminy,	Kendall,
Anderson of Cobb,	Dunbar,	Kendrick,
Arnold,	Duggan,	Lee,
Ashley,	Dykes,	Lively,
Atkinson,	Eaves,	Lumsden,
Austin,	Edmondson,	Lunsford,
Ballard,	Edwards,	Matthews,
Barksdale,	Ellison,	MacFarland,
Barrett,	Estes,	McCarthy,
Barrow,	Fagan,	McIntyre,
Bell,	Flanders,	McMahan,
Berry,	Flannigan,	McMichael,
Blackburn,	Foster,	McMullan,
Bond,	Fowler,	McWilliams,
Bowen,	Fraser,	Martin,
Boyd,	Frier,	Massengale,
Brown of Carroll,	Fullbright,	Maxwell,
Brown of Oglethorpe,	Furr,	Mays,
Buchannon,	Geer,	Mercer,
Burkhalter,	Gibson,	Moore,
Burwell,	Glenn,	Morris,
Butt,	Godley,	Mundy,
Calbeck,	Goode,	Nix,
Callaway,	Guyton,	Nowell,
Candler,	Hall,	Odum,
Cannon,	Hamilton,	Orr,
Chamlee,	Hardeman,	Parker,
Clark,	Harris,	Parrish,
Clifton,	Haywood,	Payton,
Collum,	Heard,	Perry,
Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbly,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,

Reid of Wilcox,	Sumner,	Ward,
Rogers,	Swilling,	Warnell,
Rountree,	Taylor of Appling,	Watkins,
Russell,	Taylor of Sumter,	White of Madison,
Ryals,	Terrell,	White of Screven,
Shaw,	Thorne,	Whitley,
Sheffield,	Thurman,	Williams,
Simmons,	Tift,	Wilson,
Slade,	Townsend,	Wise,
Slater,	Tracy,	Wootten,
Smith of Calhoun,	Trent,	Wright of Floyd,
Smith of Campbell,	Tuggle,	Wright of Richmond,
Stephens,	Tyson,	Wynne,
Stewart,	Walker of Lowndes,	Young,
Strickland,	Walker of Milton,	Mr. Speaker.
Stubbs,	Walker of Wash'ton,	

Those absent were Messrs.—

Atwater,

By unanimous consent the reading of the journal of yesterday's proceedings was dispensed with.

By unanimous consent Messrs. Swilling of Franklin and Duggan of Washington were granted indefinite leave of absence on account of sickness.

On motion of Mr. Alexander of DeKalb, 200 copies of House bill No. 3 were ordered printed.

Mr. Dunbar of Richmond, was allowed to withdraw House bills Nos. 707 and 709, by unanimous consent.

The following resolution was read and adopted by unanimous consent, to wit:

By Mr. Fraser of Liberty—

A resolution inviting the Commissioner of Game and

Fish of Alabama to address the House on Wednesday next at 9:30 o'clock.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the following resolution of the House, to wit:

A resolution that the General Assembly attend the unveiling of the Confederate monument at Marietta, Ga., July 7, 1908, at 4 o'clock p.m. Also that a joint committee of three from the House and two from the Senate be appointed to make suitable arrangements for making the trip over the trolley line from Atlanta to Marietta.

The committee on part of the Senate in accordance with this resolution are, Senators Dobbs and Taylor.

The Senate passed by the requisite constitutional majority the following bills of the Senate to wit:

A bill to prohibit unfair commercial discrimination between different sections, etc., and providing penalties therefor.

Also, a bill to provide for the imposing of penalties upon any common carrier who shall intentionally convert to its own use any commodity intrusted to it for transportation, and for other purposes.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Mr. Fraser—

A resolution to make House bill No. 723 the special order for July 9.

By Messrs. Donalson and Boyd—

A resolution making House bill No. 863 the special order for July 8.

By Mr. Mundy—

A resolution to make House bill No. 888 the special order for July 9.

By unanimous consent the following bills were read the second time, to wit:

By Mr. McMullan—

A bill to create a system of public schools in the city of Hartwell.

By Mr. Shaw—

A bill to provide for the election of the Pension Commissioner by the people.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Mercer—

A bill to require the commissioners of roads and revenues of Terrell county to work the chain-gang on the streets of the city of Dawson.

Referred to Counties and County Matters Committee.

By Mr. Mercer—

A bill to abolish the water and light commission of the city of Dawson.

Referred to Counties and County Matters Committee.

By Mr. Harris of Crisp—

A bill to create a board of county commissioners for the county of Crisp.

Referred to Counties and County Matters Committee.

By Mr. White of Screven—

A resolution to provide for payment of expenses of committee to visit Academy for Blind.

Referred to the Appropriation Committee.

By Mr. Flanders—

A bill to create a system of public schools in the city of Wrightsville.

Referred to Committee on Education.

By Mr. Slade of Muscogee—

A bill to amend an Act to create agricultural colleges in Georgia.

Referred to the General Judiciary Committee.

By Mr. Cook of Chattahoochee—

A bill to pay the tax-receiver of Chattahoochee county the same fees as the tax-collector is paid.

Referred to Counties and County Matters Committee.

By Mr. Wynne of Pulaski—

A bill to abolish the county court of Pulaski county.

Referred to the General Judiciary Committee.

By Mr. Donalson—

A bill to extend the time within which work shall be commenced on the Georgia, Southwestern & Gulf Railroad.

Referred to Special Judiciary Committee.

By Mr. Ward of Coffee—

A bill to repeal an Act to incorporate the town of Bushnell.

Referred to Committee on Corporations.

By Mr. Geer—

A bill to provide that in prosecutions for vote selling the State shall call as witness any person notwithstanding his connection with said Act.

Referred to Special Judiciary Committee.



By Mr. Wise—

A bill to require life insurance companies to invest in Georgia securities.

Referred to Special Judiciary Committee.

By Mr. Brown of Oglethorpe—

A bill to erect a monument to Wm. H. Crawford.

Referred to the Appropriation Committee.

By Mr. McCarthy—

A bill to allow common carriers to grant passes to former employees.

Referred to Special Judiciary Committee.

By Mr. Townsend—

A bill to abolish the county court of Clinch County.

Referred to Special Judiciary Committee.

By Mr. Rountree—

A resolution to pay pension to Mrs. Lydia Ann Jones.

Referred to Committee on Pensions.

By Mr. Shaw of Clay—

A resolution to make House bill No. 826 the special order for July 6.

Referred to Committee on Rules.

Upon the request of Mr. Slater, House bill No. 37 was taken from the table and placed on the Calendar.

The Speaker appointed the following committee under Mr. Edwards' resolution to investigate the Moore charges, to wit: Messrs. Atkinson, Adams of Elbert, and Johnson of Jeff Davis.

By unanimous consent the following bills were read the second time, to wit:

By Mr. Fullbright—

A bill to incorporate the town of Vidette.

By Mr. Fullbright—

A bill to amend the charter of the town of Midville.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations have had under consideration the following bills of the House and direct me, as their chairman, to make the following report, to wit:

DO PASS.

An Act to incorporate the Town of Riverdale, in the county of Clayton.

An Act to incorporate the town of Leon, in Dodge county.

An Act to amend the charter of the town of Ochlochnee.

An Act regulating the writing of life insurance.

An Act providing for the creation of a board of health for Athens, Ga.

An Act consolidating the present charter of Eatonton.

An Act to create and establish a new charter for the city of Eatonton.

An Act to amend an Act creating a new charter for the city of Douglas.

An Act to amend an Act incorporating the city of Vienna.

An Act to incorporate the town of Chalybeate Springs.

An Act to incorporate the town of Gratis.

An Act to incorporate the town of Between.

DO PASS AS AMENDED.

An Act to create and incorporate the Haralson school district.

DO PASS BY SUBSTITUTE.

An Act to exempt police and firemen of cities, by the cities' request, from the general exclusion from free passes.

Respectfully submitted.

HAL. G. NOWELL, Chairman.

This July 3rd, 1908.

Mr. McMahan, chairman of the Committee on University of Georgia, submitted the following report:

*Mr Speaker:*

Your Committee on University of Georgia and its branches has had under consideration House resolution No. 194, and instruct me, as their chairman, to report the same back with the recommendation that the same do pass.

July 2, 1908.

J. J. C. McMAHAN, Chairman.

By unanimous consent the following bill, which was set for a special order for yesterday but which was displaced by the order of business was read a third time and put upon its passage to wit:

By Mr. Foster of Cobb—

A bill to amend an Act to amend section 1, article 7, paragraph 1 of the Constitution relative to the payment of Pensions.

Mr. Wise of Fayette moved that the above bill be postponed and set for a special and continuing order for next Wednesday immediately after confirmation of the Journal and to follow the special orders already set; which motion prevailed.

The call of the roll of counties was dispensed with, and the following bills were introduced and read the first time, to wit:

By Mr. Smith of Campbell—

A bill to amend the charter of the town of Fairburn

Referred to Committee on Corporations.

Upon request of Mr. Slade, House bill No. — was taken from the General Judiciary and re-referred to the Committee on Privileges and Elections.

By unanimous consent the following bills were read a second time, to wit:

By Mr. Trent—

A resolution to pay pension to Mrs. S. F. Crain for 1907.

By Mr. Hines—

A bill to permit Confederate soldiers and their widows to file proof of service with Pension Commissioner.

By Messrs. Brown and Watkins of Carroll—

A bill to define meaning of the word “poverty,” as used in pension laws.

By Mr. Trent—

A resolution to pay pension due Peter Currans.

By Mr. Johnson of Jasper—

A resolution to pay pension to Mrs. Louisa L. Hodge.

By Mr. Edwards of Habersham—

A bill to amend section 3667 of the Code.

By Mr. Whitley—

A bill prescribing who shall be considered as indigent pensioners.

By Mr. Bond—

A resolution to pay pension to W. J. Stanford.

By Mr. Huie—

A bill to incorporate the town of Riverdale.

By Mr. Godley—

A bill to incorporate the city of Kingsland.

By Mr. Harris of Crisp—

A bill to amend an Act to incorporate the city of Cordele, so as to grant certain powers to mayor and council.

By Mr. Harris of Crisp—

A bill to amend an Act to incorporate the city of Cordele so as to change date of opening registration books.

By Mr. Harris of Crisp—

A bill to amend an Act to incorporate the city of Cordele so as to authorize the issuing of bonds.

By Mr. Williams of Dodge—

A bill to incorporate the town of Leon.

By Mr. Calbeck—

A bill to create a new charter for Fairmount.

By Mr. Barksdale—

A bill to regulate the writing of life insurance.

By Mr. Edwards of Habersham—

A bill to amend Constitution so as to authorize the increase of pensions after certain age.

By Mr. Stubbs of Thomas—

A bill to amend the charter of the town of Ochlochnee.

By Mr. Fraser—

A bill to amend section 982, volume 1 of the Code so as to add town of Ludowici to list of State depositories.

By Messrs. Nowell and Arnold—

A bill to incorporate the town of Williamsville.

By Mr. Calbeck—

A bill to repeal an Act to create a charter for the town of Fairmount.

By Mr. Burkhalter—

A bill to regulate the business of commission merchant.

By Mr. Dean of Floyd—

A bill to regulate the issuing of marriage licenses.

By unanimous consent the following bill was taken up and read the second time for the purpose of disagreeing to the unfavorable report of the committee to wit

By Mr. White of Madison—

A bill to provide for the election of county school commissioners by the people.

On the motion to disagree to the report of the committee Mr. Jackson of Jones, called for the ayes and nays which call was sustained, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Culbreth,	Keith,
Atkinson,	Dunbar,	Kendrick,
Barrett,	Dykes,	Lee,
Bell,	Ellison,	Lunsford,
Bond,	Fraser,	McCarthy,
Boyd,	Fullbright,	McMichael,
Candler,	Godley,	Parker,
Clifton,	Guyton,	Parrish,
Cooke of Thomas,	Hamilton,	Stewart,
Covington,	Harris,	Stubbs,
Couch,	Huff,	Wynne,
Cowan,	Jones of Meriwether.	



Those voting in the negative were Messrs.—

Adams of Elbert,	Glenn,	Pope of Dade,
Alexander,	Goode,	Price of Bartow,
Anderson of Bulloch,	Hall,	Reid of Macon,
Anderson of Cobb,	Hill,	Russell,
Arnold,	Hines,	Shaw,
Austin,	Holder,	Simmons,
Ballard,	Howard,	Slade,
Barksdale,	Hubbard,	Slater,
Bowen,	Huie,	Smith of Campbell,
Brown of Carroll,	Hullender,	Sumner,
Brown of Oglethorpe,	Jackson,	Taylor of Appling,
Buchannon,	Johnson of Towns,	Taylor of Sumter,
Burkhalter,	Kendall,	Thorne,
Burwell,	Lively,	Thurman,
Calbeck,	MacFarland,	Townsend,
Callaway,	McIntyre,	Tracy,
Chamlee,	McWilliams,	Tuggle,
Crawford,	Mays,	Walker of Milton,
Davis,	Mercer,	Walker of Wash'ton,
Davison,	Moore,	Ward,
Dean,	Morris,	Watkins,
Edmondson,	Mundy,	White of Madison,
Fagan,	Nix,	Wilson,
Flanders,	Persons,	Wise,
Foster,	Peterson,	Wootten,
Frier,	Pope of Brooks,	

Those not voting were Messrs.—

Adams of Wilkinson,	Cook of Telfair,	Geer,
Adkins,	Crumbley,	Gibson,
Allen,	Daniel,	Hardeman,
Ashley,	Dickey,	Haywood,
Atwater,	Donalson,	Heard,
Barrow,	Dorminy,	Johnson of Jasper,
Berry,	Duggan,	Johnson of Jeff Davis,
Blackburn,	Eaves,	Jones of Mitchell,
Butt,	Edwards,	Lumsden,
Cannon,	Estes,	Matthews,
Clark,	Flannigan,	McMahan,
Collum,	Fowler,	McMullan,
Cook of Chat'hoochee,	Furr,	Martin,

Massengale,	Rogers,	Tyson,
Maxwell,	Rountree,	Walker of Lowndes,
Nowell,	Ryals,	Warnell,
Odum,	Sheffield,	White of Screven,
Orr,	Smith of Calhoun,	Whitley,
Payton,	Stephens,	Williams,
Perry,	Strickland,	Wright of Floyd,
Powell,	Swilling,	Wright of Richmond,
Price of Oconee,	Terrell,	Young,
Reid of Putnam,	Tift,	Mr. Speaker.
Reid of Wilcox,	Trent,	

Ayes 35, nays 77.

By unanimous consent the verification of the roll call was dispensed with.

On the motion to disagree to the report of the committee the ayes were 35, nays 77; the motion to disagree therefore prevailed.

Leave of absence was granted Messrs. Adams of Elbert, Brown of Oglethorpe, Walker of Washington, Clifton of Toombs, Davis of Houston, Swilling of Franklin.

Mr. Dean moved that the House adjourn until 10 o'clock Monday morning, which motion prevailed. The Speaker then announced the House adjourned until Monday morning at 10 o'clock.

ATLANTA, GA.,

MONDAY, July 6, 1908.

The House met pursuant to adjournment at 10 o'clock a.m., this day, was called to order by the Speaker and opened with prayer by the chaplain.

The roll was called, and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe.	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether,	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

Atwater,

By unanimous consent the reading of the Journal of Friday's proceedings was dispensed with.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. Wright of Richmond—

A bill to provide for collection of past due taxes due the State, counties and municipalities, etc.

The committee proposed to amend by striking word “now” wherever it occurs in line 10 of paragraph 4, and line 7 of paragraph 5 of the bill, and insert the words “and fails,” in line 2, paragraph 2; and in line 2 of paragraph 4 of the bill.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 95, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Wright of Richmond—

A bill to provide for the rejection assessment and arbitration in the case of tax returns by railroad companies for county and municipal purposes.

The committee proposed to amend by striking the words “is now” in line 6, section 1, and by adding the words “and school” after word “municipal” in line 4, section 1, and by adding in caption of bill after the word “municipal” the words “and school.”

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 102, nays, 0.

The bill having received the requisite constitutional majority was passed as amended.

Mr. Hall of Bibb moved that in view of the great importance of measures to be considered and the time to be consumed on to-morrow that the House meet at 9 o'clock a.m., which motion prevailed.

By unanimous consent the call of the roll of counties was dispensed with and the following bills were introduced and read the first time, to wit:

By Mr. Mays—

A bill to create a new charter for the city of Jackson.

Referred to Committee on Corporations.

By Mr. Slaton—

A bill to regulate the practice and procedure in reference to motions for new trials, etc.

Referred to Special Judiciary Committee.

By Mr. Whitley—

A bill to prescribe the age of road or street duty in this State.

Referred to Counties and County Matters Committee.

By Mr. Slaton—

A bill to require the trial judge to specify the grounds upon which a new trial is granted, and for other purposes.

Referred to General Judiciary Committee.

By Mr. Slaton—

A bill to amend section 5585 of the Code of 1895.

Referred to General Judiciary Committee.

By Messrs. Brown and Watkins of Carroll—

A bill to create the office of Commissioner of Roads and Revenues for the county of Carroll.

Referred to Committee on Corporations.

By Mr. Hardeman—

A bill to amend section 2502, volume 3, of the Code, with reference as to how parental power over a minor may be lost, etc.

Referred to General Judiciary Committee.

By Mr. Berry—

A bill to incorporate the town of Blairsville.

Referred to Counties and County Matters Committee.

By Mr. Parrish of Berrien—

A bill to amend section 2321 of the Civil Code relative to running of cars, etc.

Referred to Committee on Railroads.

The following resolution was read and unanimously adopted, to wit:

By Mr. Boyd of Spalding—

A resolution tendering the sympathy of the House to

the bereaved family of that eminent author, Joel Chandler Harris, deceased.

Mr. Wright of Richmond, chairman of Committee on General Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on General Judiciary have had under consideration the following Senate bill, and instructed me as their chairman to report same back to the House with the recommendation that same do pass, to wit:

A bill to amend section 342, Code 1895, by adding certain words.

Respectfully submitted,

BOYKIN WRIGHT,

Chairman.

Mr. Massengale chairman of the Committee on Game and Fish submitted the following report:

*Mr. Speaker*

Your Committee on Game and Fish having under consideration House bill No. 261, recommend that same do pass by substitute.

Respectfully submitted,

L. R. MASSENGALE,

Chairman.



The following bills were read the third time for the purpose of putting them upon their passage, to wit:

By Mr. Hines of Baldwin—

A bill permitting Confederate soldiers and their widows to file proof of service with the Pension Commissioner.

On motion of Mr. Alexander the above bill was tabled.

The following bills were taken up in their regular order and put upon their passage, to wit:

By Messrs. Slater and Dykes—

A bill to prescribe the duty of electric telegraph companies in receiving and transmitting messages, etc.

Mr. Wright of Richmond called for the previous question on the bill and pending amendments, which call was sustained and the main question ordered.

Mr. Nix of Gwinnett proposed to amend by inserting between the words "of" and "fifty" in line 7 the words "not exceeding"; also

To amend by inserting between the words "dollars" and "which" in line 7 the words "as the jury in their discretion may fix."

No quorum having voted on the above amendments, the Speaker directed that the roll be called, which resulted as follows:

Those voting in the affirmative were Messrs. —

Adams of Chatham,	Fullbright,	McCarthy,
Adkins,	Goode,	McIntyre,
Alexander,	Hall,	McMahan,
Arnold,	Heard,	Maxwell,
Atkinson,	Holder,	Nix,
Austin,	Hubbard,	Nowell,
Barksdale,	Huff,	Parker,
Barrow,	Hullender,	Parrish,
Bell,	Jackson,	Peterson,
Blackburn,	Jones of Meriwether.	Ryals,
Dunbar,	Keith,	Thorne,
Flanders,	Lee,	Thurman,
Fowler,	Lively,	Tift,
Frier,	MacFarland,	Tyson,

Those voting in the negative were Messrs.—

Anderson of Cobb,	Ellison,	Price of Oconee,
Ballard,	Estes,	Reid of Putnam,
Barrett,	Flannigan,	Rogers,
Bond,	Foster,	Rountree,
Bowen,	Fraser,	Shaw,
Boyd,	Furr,	Slade,
Brown of Carroll,	Glenn,	Smith of Calhoun,
Burkhalter,	Godley,	Smith of Campbell,
Burwell,	Hamilton,	Stewart,
Butt,	Hardeman,	Stubbs,
Callaway,	Harris,	Sumner,
Candler,	Huie,	Swilling,
Cannon,	Johnson of Jeff Davis,	Taylor of Appling,
Chamlee,	Johnson of Towns,	Terrell,
Collum,	Kendrick,	Tracy,
Cook of Chat'hoochee,	Lunsford,	Walker of Milton,
Cook of Telfair,	McWilliams,	Ward,
Cooke of Thomas,	Martin,	Watkins,
Covington,	Massengale,	White of Madison,
Couch,	Mays,	Whitley,
Cowan,	Moore,	Wilson,
Crawford.	Morris,	Wootten,
Davison,	Orr,	Wright of Floyd,
Dean,	Payton,	Wright of Richmond,
Dykes,	Perry,	Wynne,
Eaves,	Pope of Brooks,	Young,
Edwards,	Pope of Dade,	

Those not voting were Messrs.—

Adams of Elbert,	Fagan,	Price of Bartow,
Adams of Wilkinson.	Geer,	Reid of Macon,
Allen,	Gibson,	Reid of Wilcox,
Anderson of Bulloch,	Guyton,	Russell,
Ashley,	Haywood,	Sheffield,
Atwater,	Hill,	Simmons,
Berry,	Hines,	Slater,
Brown of Oglethorpe.	Howard,	Stephens,
Buchannon,	Johnson of Jasper,	Strickland,
Calbeck,	Jones of Mitchell.	Taylor of Sumter,
Clark,	Kendall,	Townsend,
Clifton,	Lumsden,	Trent,
Crumbley,	Matthews,	Tuggle,
Culbreth,	McMichael,	Walker of Lowndes,
Daniel,	McMullan,	Walker of Wash'ton,
Davis,	Mercer,	Warnell.
Dickey,	Mundy,	White of Screven,
Donalson,	Odum,	Williams,
Dorminy,	Persons,	Wise,
Duggan,	Powell,	Mr. Speaker.
Edmondson,		

Ayes 42, nays 80.

By unanimous consent the verification of the roll call was dispensed with.

Upon counting the votes cast it was found that the ayes were 42, nays 80; the amendment was therefore lost.

It having been disclosed that a quorum was present by the call of the roll, the House proceeded to vote on the following remaining amendments, to wit:

By Mr. Chamlee—

“Provided that nothing herein contained shall be con-

strued to apply to any telegraph offices in cities or towns of 100 or less inhabitants."

The above amendment was lost.

By Mr. Boyd of Spalding—

Proposes to amend by striking "\$50" wherever it occurs in the bill and insert the word "\$25."

The above amendment was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes and nays were ordered, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Chamlee,	Glenn,
Adkins,	Collum,	Godley,
Anderson of Cobb,	Cook of Chat'hoochee,	Goode,
Arnold,	Cooke of Thomas,	Guyton,
Atkinson,	Covington,	Hall,
Austin,	Cowan,	Hamilton,
Ballard,	Crawford,	Hardeman,
Barksdale,	Dean,	Heard,
Barrow,	Dorminy,	Holder,
Berry,	Dykes,	Howard,
<b>Blackburn,</b>	Edwards,	Hubbard,
<b>Bond,</b>	Ellison,	Huie,
Bowen,	Estes,	Hullender,
Boyd,	Fagan,	Jackson,
Brown of Carroll,	Flanders,	Johnson of Jeff Davis,
Buchannon,	Foster,	Kendrick,
Burkhalter,	Fowler,	Lee,
Burwell,	Frier,	Lively,
Callaway,	Furr,	Lunsford,
Cannon,	Geer,	MacFarland,

McWilliams,	Rogers,	Tift,
Massengale,	Rountree,	Tracy,
Maxwell,	Ryals,	Tyson,
Mays,	Shaw,	Walker of Milton,
Mercer,	Slade,	Ward,
Moore,	Smith of Calhoun,	Watkins,
Morris,	Smith of Campbell,	Whitley,
Nix,	Stewart,	Williams,
Parker,	Stubbs,	Wilson,
Payton,	Sumner,	Wise,
Perry,	Swilling,	Wootten,
Pope of Brooks,	Taylor of Appling,	Wright of Floyd,
Price of Bartow,	Terrell,	Wynne,
Reid of Putnam,	Thorne,	Young,

Those voting in the negative were Messrs.—

Alexander,	Faves,	McMahan,
Barrett,	Flannigan,	Martin,
Bell,	Fraser,	Nowell,
Butt,	Fullbright,	Parrish,
Calbeck,	Harris,	Peterson,
Candler,	Huff,	Pope of Dade,
Cook of Telfair,	Jones of Meriwether	Powell,
Davison,	Keith,	Thurman,
Dunbar,	McIntyre,	Wright of Richmond,

Those not voting were Messrs.—

Adams of Elbert,	Duggan,	Odum,
Adams of Wilkinson,	Edmondson,	Orr,
Allen,	Gibson,	Persons,
Anderson of Bulloch,	Haywood,	Price of Oconee,
Ashley,	Hill,	Reid of Macon,
Atwater,	Hines,	Reid of Wilcox,
Brown of Oglethorpe.	Johnson of Jasper,	Russell,
Clark,	Johnson of Towns,	Sheffield,
Clifton,	Jones of Mitchell,	Simmons,
Couch,	Kendall,	Slater,
Crumbley,	Lumsden,	Stephens,
Culbreth,	Matthews,	Strickland,
Daniel,	McCarthy,	Taylor of Sumter,
Davis,	McMichael,	Townsend,
Dickey,	McMullan,	Trent,
Donalson,	Mundy,	Tuggle,

Walker of Lowndes,	Warnell,	White of Screven,
Walker of Wash'ton,	White of Madison,	Mr. Speaker.

Ayes 102, nays 27.

The roll call was verified, and on counting the votes it was found that the ayes were 102, nays 27.

Therefore the bill having received the constitutional majority was passed as amended.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Shaw of Clay—

A resolution to make House bill No. 826 a special order for next Friday immediately after confirmation of Journal.

By unanimous consent the following bills were introduced and read the first time, to wit:

By Mr. Smith of Campbell—

A bill to amend section 115, volume 1, of the Code, relative to primaries.

Referred to General Judiciary Committee.

By Mr. Smith of Campbell—

A bill relating to the liability of common carriers by railroads to their employees in certain cases.

Referred to General Judiciary Committee.

The following resignation of Mr. Shaw of Clay as

chairman of the Enrollment Committee was read and accepted, to wit:

ATLANTA, GA., July 6, 1908.

*Hon. John M. Slaton, Speaker of the House:*

DEAR SIR: On account of my general physical condition and for other reasons, I beg to herewith hand you my resignation.

Respectfully submitted,

EMMETT R. SHAW,  
Chairman Enrollment Committee.

The Speaker announced the following committee assignment, vice Mr. Shaw, chairman of the Enrollment Committee, resigned:

Messrs. Parker chairman; Stubbs vice chairman, also Huie of Clayton, and Bowen of Tift, to fill vacancies.

On motion of Mr. Brown of Carroll, House bill No. 46 was tabled.

On motion of Mr. Dunbar Senate bill No. 10 was taken from the table and placed on the calendar.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Parker of Talbot—

A bill to incorporate the town of Woodland.

Referred to Counties and County Matters Committee.

By Mr. Guyton—

A bill to amend section 982, volume 1, so as to make Guyton a State depository.

Referred to Committee on Banks and Banking.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended, by the requisite constitutional majority the following House bill, to wit:

A bill to provide for confirming and validating all bonds issued by counties or municipalities since the Constitution of 1877, and for other purposes.

By unanimous consent House bill No. 21 and resolution No. 86 were tabled.

By unanimous consent the following bills were read the second time, to wit:

By Mr. Reid of Putnam—

A bill to repeal an Act constituting present charter of the city of Eatonton.

By Mr. Reid of Putnam—

A bill to create a new charter for the city of Eatonton.

Bills for a third reading were resumed, to wit:



By Mr. Way of Pulaski—

A resolution directing that certain moneys be paid to Carroll Daniel.

An appropriation being involved the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Edwards of Habersham.

After considering the resolution the committee arose, and through their chairman reported the same back with the recommendation that the same do pass as amended.

The committee proposed to amend by striking the last line and substituting the words "to be paid from the fund arising from the hire of convicts."

The report of the committee as amended was adopted.

The Speaker expressed a doubt as to whether an appropriation was involved after the adoption of the amendment, but directed a call of the roll to be sure which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Boyd,	Cooke of Thomas,
Adkins,	Brown of Carroll,	Couch,
Alexander,	Buchannon,	Cowan,
Arnold,	Burkhalter,	Crawford,
Atkinson,	Burwell,	Davison,
Austin,	Butt,	Dean,
Barksdale,	Calbeck,	Dykes,
Barrett,	Candler,	Faves,
Barrow,	Cannon,	Edwards,
Berry,	Chamlee,	Ellison,
Blackburn,	Collum,	Estes,
Bond,	Cook of Chat'hoochee,	Fagan,
Bowen,	Cook of Telfair,	Flanders,

Flannigan,	Keith,	Reid of Putnam,
Foster,	Kendall,	Rogers,
Fowler,	Kendrick,	Rountree,
Frier,	Lee,	Ryals,
Fullbright,	MacFarland,	Shaw,
Furr,	McCarthy,	Slade,
Glenn,	McIntyre,	Smith of Campbell,
Godley,	McMahan,	Stewart,
Goode,	McWilliams,	Stubbs,
Guyton,	Martin,	Sumner,
Hamilton,	Massengale,	Swilling,
Hardeman,	Maxwell,	Taylor of Appling,
Harris,	Mercer,	Terrell,
Heard,	Moore,	Thurman,
Hines,	Nix,	Tracy,
Holder,	Orr,	Tyson,
Howard,	Parker,	Ward,
Hubbard,	Parrish,	Watkins,
Huff,	Perry,	Wilson,
Huie,	Peterson,	Wootten,
Hullender,	Pope of Brooks,	Wright of Floyd,
Jackson,	Pope of Dade,	Wright of Richmond.
Johnson of Jeff Davis,	Powell,	Wynne,
Johnson of Towns,	Price of Bartow,	Young,
Jones of Meriwether		

Those voting in the negative were Messrs.—

Geer,

Those not voting were Messrs.—

Adams of Elbert,	Clifton,	Fraser,
Adams of Wilkinson,	Covington,	Gibson,
Allen,	Crumbley,	Hall,
Anderson of Bulloch,	Culbreth,	Haywood,
Anderson of Cobb,	Daniel,	Hill,
Ashley,	Davis,	Johnson of Jasper,
Atwater,	Dickey,	Jones of Mitchell,
Ballard,	Donalson,	Lively,
Bell,	Dorminy,	Lumsden,
Brown of Oglethorpe.	Dunbar,	Lunsford,
Callaway,	Duggan,	Matthews,
Clark,	Edmondson,	McMichael,

McMullan,	Sheffield,	Tuggle,
Mays,	Simmons,	Walker of Lowndes,
Morris,	Slater,	Walker of Milton,
Mundy,	Smith of Calhoun,	Walker of Wash'ton,
Nowell,	Stephens,	Warnell,
Odum,	Strickland,	White of Madison,
Payton,	Taylor of Sumter,	White of Screven,
Persons,	Thorne,	Whitley,
Price of Oconee,	Tift,	Williams,
Reid of Macon,	Townsend,	Wise,
Reid of Wilcox,	Trent,	Mr. Speaker.
Russell,		

Ayes 112, nays 1.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 112, nays 1.

The resolution having received the requisite constitutional majority, was passed as amended.

On the motion of Mr. Hines House bill No. 9 was taken from the table and placed on the Calendar.

Leave of absence was granted Messrs. Barrow and Blackburn.

On motion of Mr. Swilling the Speaker announced the House adjourned until 9 o'clock to-morrow morning.

## ATLANTA, GA.,

Tuesday July 7, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Will'inson.	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood.
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe.	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether,	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wooten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

**Atwater,**

Mr Barrett of Stephens gave notice that at the proper time he would move to reconsider the action of the House in passing on yesterday House bill No. 37, which is a bill prescribing penalty for non-delivery of messages by telegraph companies.

By unanimous consent the following resolution was read the first time, to wit:

By Messrs. Hamilton and Kendrick—

A resolution to pay pension to Mrs. R. A. Lynn of Columbia county.

Referred to Committee on Pensions.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. Harris of Crisp—

A bill to amend an Act to incorporate the city of Cordele relative to construction of streets, sidewalks, etc.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harris of Crisp—

A bill to amend an Act to incorporate the city of Cordele so as to change date of opening the registration books, etc.

The report of the committee, which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 122, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harris of Crisp—

A bill to amend an Act to incorporate the city of Cordele so as to authorize the issuing of bonds.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 124, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McMillan of Hart—

A bill to create a system of public schools in the city of Hartwell.

The committee proposed the following amendments, which were adopted.

To amend caption by striking from line 7 "secretary and treasurer," and insert "board of education."

To amend caption by striking from line 11 the word "officer," and insert word "board."

To amend section 3 by adding after word "secretary" in line 5 the words "and treasurer."

To amend section 3 by adding after the word "quorum," in line 11, the following: "And no member of said board of education shall be eligible to serve as secretary and treasurer of said board of education and that compensation to be paid to said secretary and treasurer shall be fixed by the board of education of said city."

To amend section 5 by adding after word "board" in line 5, the words "of education."

To amend section 6 by striking word "alderman," in line 15, and insert the word "education."

To amend section 7 by striking the word "aldermen," in line 11, and insert word "education."

To amend section 7 by striking the word "aldermen," in line 17, and insert word "education."

To amend section 9 by striking the word "aldermen," in line 14, and insert the word "education."

To amend section 9 by striking the word "aldermen," in line 18, and insert word "education."

To amend section 11 by striking from line 3 the word "collected."

To amend section 11 by striking the word "aldermen," in line 4, and insert the word "education."

To amend section 11 by striking the word "aldermen," in line 5, and insert the word "education."

To amend section 11 by striking the word "aldermen," in line 6, and insert the word "education."

To amend section 12 by striking the word "aldermen," in line 7 and insert the word "education."

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 130, nays 0.



The bill having received the requisite constitutional majority was passed as amended.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following bill, which was made the special order for this morning's session, was read the third time and put upon its passage, to wit.

By Mr. Alexander of DeKalb—

A bill to provide for the extension of the Western and Atlantic Railroad to some point on the sea coast, and for other purposes.

On motion of Mr. Hall of Bibb, by unanimous consent House bill No. 90 was tabled.

By unanimous consent the hour of adjournment for this morning's session was fixed for 1 o'clock p.m.

An appropriation being involved in the above bill for the extension of the W & A. Railroad, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Wise of Fayette.

After a consideration of the bill the committee arose and through its chairman reported progress and asked leave to sit again.

Mr. Foster, chairman on the part of the House of the joint committee to arrange transportation for such of the members who wish to visit Marietta to attend the unveiling of the Confederate monument, submitted the following report:

*Mr Speaker:*

The joint committee of the Senate and House of Representatives to arrange for transportation of the members of the General Assembly from Atlanta to Marietta on July 7, 1908, to attend the unveiling of the Confederate monument at Marietta report:

Arrangements have been made for all those who desire to attend said exercises to go to Marietta either by trolley cars or by train over the W & A. Railroad. The trolley cars will leave at corner Walton and Fairlie streets at 3 p.m. The W & A. train will leave old depot at 3:15 p.m. The fare on either road will be 50 cents for the round trip.

J. D. ANDERSON,  
W. C. STEWART,  
J. Z. FOSTER,  
House Committee.

E. P. DOBBS,  
J. W. TAYLOR,  
Senate Committee.

On motion of Mr. Hall of Bibb the House agreed that when the House adjourn it adjourn to meet again at 9 o'clock tomorrow morning.

The following resolution was read and unanimously adopted, to wit:

By Mr. Butt of Fannin—

A resolution extending the sympathy of the House to Hon. R. M. Hardeman in the death of his brother.

By Mr. Tuggle of Troup—

A resolution to make bills to amend the Constitution the special order for Tuesday, July 14th.

Referred to Committee on Rules.

Leave of absence was granted Mr Dickey of Crawford.

The Speaker announced the House adjourned until 9 o'clock to morrow morning.

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ATLANTA, GA.,

Wednesday, July 8, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Austin,	Brown of Carroll,
Adams of Elbert,	Ballard,	Brown of Oglethorpe.
Adams of Wilkinson,	Barksdale,	Buchannon,
Adkins,	Barrett,	Burkhalter,
Alexander,	Barrow,	Burwell,
Allen,	Bell,	Butt,
Anderson of Bulloch,	Berry,	Calbeck,
Anderson of Cobb,	Blackburn,	Callaway,
Arnold,	Bond,	Candler,
Ashley,	Bowen,	Cannon,
Atkinson,	Boyd,	Chamlee,

Clark,	Harris,	Parrish,
Clifton,	Haywood,	Payton,
Collum,	Heard,	Perry,
Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbley,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell,
Dickey,	Jones of Mitchell,	Ryals,
Donalson,	Keith,	Shaw,
Dorminy,	Kendall,	Sheffield,
Dunbar,	Kendrick,	Simmons,
Duggan,	Lee,	Slade,
Dykes,	Lively,	Slater,
Eaves,	Lumsden,	Smith of Calhoun,
Edmondson,	Lunsford,	Smith of Campbell,
Edwards,	Matthews,	Stephens,
Ellison,	MacFarland,	Stewart,
Estes,	McCarthy,	Strickland,
Fagan,	McIntyre,	Stubbs,
Flanders,	McMahan,	Sumner,
Flannigan,	McMichael,	Swilling,
Foster,	McMullan,	Taylor of Appling,
Fowler,	McWilliams,	Taylor of Sumter,
Fraser,	Martin,	Terrell,
Frier,	Massengale,	Thorne,
Fullbright,	Maxwell,	Thurman,
Furr,	Mays,	Tift,
Geer,	Mercer,	Townsend,
Gibson,	Moore,	Tracy,
Glenn,	Morris,	Trent,
Godley,	Mundy,	Tuggle,
Goode,	Nix,	Tyson,
Guyton,	Nowell,	Walker of Lowndes,
Hall,	Odum,	Walker of Milton,
Hamilton,	Orr,	Walker of Wash'ton,
Hardeman,	Parker,	Ward,

Warnell,	Williams,	Wright of Richmond,
Watkins,	Wilson,	Wynne,
White of Madison,	Wise,	Young,
White of Screven,	Wootten,	Mr. Speaker.
Whitley,	Wright of Floyd,	

Those absent were Messrs.—

Atwater,

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Pope of Dade—

A resolution for the relief of J. R. Brock, T. F. Smith, Geo. W. Cureton and D. E. Tatum of Dade county, as sureties on the bond of Jno. M. Castleberry

Referred to Counties and County Matters Committee.

By Mr. Wynne of Pulaski—

A bill to amend section 401 of Penal Code of 1895.

Referred to General Judiciary Committee.

By Mr. Terrell of Grady—

A bill to amend an Act prescribing qualifications for school districts trustees.

Referred to Committee on Education.

By Mr. Couch of Coweta—

A bill to amend section 982, volume 1, of the Code

so as to add the city of Senoia to list of State depositories.

Referred to Committee on Banks and Banking.

By Mr. Trent of Heard—

A bill to amend an Act to prohibit manufacture, sale, etc., of intoxicants.

Referred to Committee on Temperance.

By Mr. Reid of Wilcox—

A bill to amend an Act to incorporate the city of Abbeville.

Referred to Counties and County Matters Committee.

By Mr. Boyd of Spalding—

A bill to amend the charter of the city of Griffin.

Referred to Committee on Corporations.

By Mr. Jones of Mitchell—

A resolution to pay pension due Mrs. Queen Shiver.

Referred to Committee on Pensions.

By Mr. Trent of Heard—

A bill to repeal an Act creating a new charter for the town of Franklin.

Referred to Committee on Corporations.

By Mr. Peterson of Montgomery—

A bill to create a new charter for the town of Glenwood.

Referred to Special Judiciary Committee.

By Mr. Terrell of Grady—

A bill to provide for holding four terms a year of the Superior Court of Grady county

Referred to Special Judiciary Committee.

By Mr. Payton of Worth—

A bill to amend section 4046, volume 2, of the Code.

Referred to General Judiciary Committee.

By Mr. Cook of Telfair—

A bill to repeal section 1781 of the Civil Code.

Referred to General Judiciary Committee.

By Mr. Buchannon of Early—

A bill to provide for an examination into the affairs of the dispensary of Blakely, Ga.

Referred to Counties and County Matters Committee.

By Mr. Blackburn of Fulton—

A resolution for the relief of Mrs. E. W. Hightower

Referred to Committee on Pensions.

By Messrs. Morris, Tyson, McMichael, et al.—

A bill to provide that the State School Commissioner shall be ex-officio secretary of the State Board of Education.

Referred to Committee on Education.

By Mr. Blackburn of Fulton —

A bill to authorize the judges of the superior courts of this State to appoint two special bailiffs in certain counties.

Referred to Special Judiciary Committee.

By Mr. Wynne of Pulaski—

A bill to amend section 174 of the Penal Code.

Referred to General Judiciary Committee.

By Mr. Johnson of Jasper—

A bill to amend an Act creating the city court of Monticello.

Referred to Special Judiciary Committee.

By Mr. Massengale of Warren—

A bill to incorporate the city of Warrenton.

Referred to Committee on Corporations.

By Mr. Nowell of Walton—

A bill to provide for the incorporation of Mutual Aid,



Benefit and Industrial Life Insurance Companies, and for other purposes.

Referred to Committee on Corporations.

By Mr. Massengale of Warren—

A bill to create the city court of Warrenton.

Referred to Committee on Corporations.

By unanimous consent the following bill was read the second time and recommitted, to wit:

By Mr. Mercer of Terrell—

A bill to establish the Dawson Water and Light Commission.

Mr. Mercer was allowed to withdraw House bill No. 920.

The following resolution was read and adopted, to wit:

By Mr. Candler—

A resolution providing that until otherwise ordered the House shall meet at 9 o'clock a.m. and adjourn at 1 p.m.

Mr. Foster of Cobb, chairman of the Committee on Pensions, submitted the following report:

*Mr. Speaker.*

The Committee on Pensions have had under consideration House resolution No. 173 to pay pension of Mr.

E. A. Coker to Amos Johnson, and recommend that the same do pass.

J. Z. FOSTER,  
Chairman.

By unanimous consent the following bills were read the second time, to wit:

By Messrs. Heard and Adkins—

A bill to amend an Act to incorporate the town of Vienna.

By Mr. Ryals—

A bill to authorize the Governor to appoint a third depository in the city of Atlanta.

By Messrs. Heard and Adkins—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Dooly.

By Mr. McMahan of Clarke—

A bill providing for the creation of a board of health for the city of Athens.

By Mr. Butt of Fannin—

A bill to amend the several Acts to incorporate the city of Blue Ridge.

On motion of Mr. Heard of Dooly House resolution No. 86 was taken from the table and placed on the Calendar.

By unanimous consent, the following bills were read the third time and put upon their passage, to wit:

By Mr. Reid of Putnam —

A bill to repeal an Act creating the charter of the city of Eatonton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 130, nays 0.

The bill having received the requisite constitutional majority, was passed.

By Mr. Reid of Putnam—

A bill to create and establish a new charter for the city of Eatonton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 131, nays 0.

The bill having received the requisite constitutional majority, was passed.

At 9:30 o'clock Mr. Massengale introduced to the House Hon. J. H. Wallace, Jr., Game and Fish Commissioner of Alabama, who was previously invited by resolution to address the House at this hour on the importance of game and fish protection.

After Mr. Wallace's address the following resolutions were read and unanimously adopted, to wit

By Mr. Massengale of Warren—

A resolution conveying the appreciation of the House to Hon. J. H. Wallace, Jr., for his masterly and eloquent address on game and fish protection.

By Mr. Whitley of Douglas—

A resolution tendering the hall of the House to Dr. Clark, Dr. Oertel, Dr. Westmoreland, Dr. Hardman, Senator Williford for the purpose of addressing the General Assembly on subject of tuberculosis on Friday night, July 10, at 8 o'clock.

The following bill, a continuing special order, which was brought over under head of unfinished business from yesterday's session, on motion of Mr. Alexander, was again taken up, to wit:

By Mr. Alexander of DeKalb—

A bill to provide for the extension of the Western & Atlantic railroad to some point on the sea coast.

The Speaker again resolved the House into a Committee of the whole with Mr. Wise of Fayette in the chair.

After a consideration of the bill the committee arose and through its chairman reported progress and asked leave to sit again.

By unanimous consent the following bill was read the first time, to wit:

By Mr. Persons of Monroe—

A resolution to pay pension due Adrian S. Toole.

Referred to Committee on Pensions.

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker.*

Your Committee on County and County Matters has had under consideration the following House bills, and as its chairman I am instructed to report the same back to the House as follows, to wit:

House bill No. 873, do not pass.

House bill No. 661, do not pass.

House bill No. 801, do pass.

House bill No. 784, do pass.

House bill No. 755, do pass.

House bill No. 754, do pass.

House bill No. 745, do pass.

House bill No. 802, do pass.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

Mr. Wright of Richmond chairman of General Judiciary Committee, submitted the following report

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following bills of the House and instructed me, as their chairman, to report same back to the House with the recommendation that same do pass as amended, to wit:

A bill to amend section 3828, volume 2, Code of 1895, relative to recovery for homicide.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.

Mr. Nowell, chairman of the Committee on Corporations, submitted the following report

*Mr. Speaker:*

Your Committee on Corporations have had under consideration the following bills of the House and direct me, as their chairman, to report same back with recommendation that they do pass, to wit:

An Act to incorporate the town of Woodbine.

An Act to repeal an Act to incorporate the town of Bushnell.

An Act to amend the charter of the town of Fairburn.

Respectfully submitted.

NOWELL, Chairman.

Mr. Heard, chairman of the Committee on Banks and Banking, submitted the following report:

*Mr. Speaker:*

Your Committee on Banks and Banking having had under consideration House bill No. 664 and have instructed me, as their chairman, to report same back with recommendation that it do pass.

HEARD, Chairman.

Mr. Perry, chairman of Committee on Amendments to Constitution, submitted the following report:

*Mr Speaker:*

The Committee on Amendments to the Constitution having under consideration the following bills make the following report as to same:

That House bills 20 and 22 do pass.

That House bills 786, 787 and 789, do pass as amended.

That House bill 788 do not pass.

H. H. PERRY, Chairman.

By unanimous consent the following bills were read the second time, to wit

By Mr. Taylor of Appling—

A bill to create a board of commissioners of roads and revenues for Appling county.

By Mr. Moore of Cherokee—

A bill to authorize the road commissioners of Cherokee county to order an election to decide if bonds shall be issued.

By Mr. Moore of Cherokee—

A bill to create a board of commissioners of roads and revenues for Cherokee county.

By Mr. Mercer of Terrell—

A bill to repeal an Act making the roads of Terrell county twenty feet wide.

By Messrs. Flannigan and Holder of Jackson—

A bill to amend an Act to incorporate the town of Centre.

By Messrs. Flannigan and Holder—

A bill to amend an Act to incorporate the town of Hoschton.

By Mr. Gibson of Glascock—

A bill to amend an Act to create a board of commissioners of roads and revenues for Glascock county.

By Messrs. Orr and Couch of Coweta—

A bill to amend an Act to incorporate the Haralson school district.



By Mr. Persons of Monroe—

A bill to amend an Act to create a board of commissioners for the county of Monroe.

By Messrs. Nowell and Arnold of Walton—

A bill to incorporate the town of Gratis.

By Mr. Donalson of Decatur—

A bill to create a charter for the town of Iron City.

By Mr. Ward of Coffee—

A bill to amend an Act creating a new charter for the city of Douglas.

By Messrs. Nowell and Arnold of Walton—

A bill to incorporate the town of Between.

By Messrs. Jones and Keith of Meriwether—

A bill to incorporate the town of Chalybeate Springs.

By Mr. Godley of Camden—

A bill to incorporate the town of Woodbine.

By Mr. Ward of Coffee—

A bill to repeal an Act to incorporate the town of Bushnell.

By Mr. Smith of Campbell—

A bill to amend the charter of the town of Fairburn.

Leave of absence was granted to Mr. Dunbar of Richmond.

Mr. Tuggle of Troup moved that the House adjourn which motion prevailed, and the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

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ATLANTA, GA.,

Thursday, July 9, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Blackburn,	Cook of Chat'hoochee,
Adams of Elbert,	Bond,	Cook of Telfair,
Adams of Wilkinson,	Bowen,	Cooke of Thomas,
Adkins,	Boyd,	Covington,
Alexander,	Brown of Carroll,	Couch,
Allen,	Brown of Oglethorpe.	Cowan,
Anderson of Bulloch,	Buchannon,	Crawford,
Anderson of Cobb,	Burkhalter,	Crumbley,
Arnold,	Burwell,	Culbreth,
Ashley,	Butt,	Daniel,
Atkinson,	Calbeck,	<b>Davis,</b>
Austin,	Callaway,	Davison,
Ballard,	Candler,	Dean,
Barksdale,	Cannon,	Dickey,
Barrett,	Chamlee,	Donalson,
Barrow,	Clark,	Dorminy,
Bell,	Clifton,	Dunbar,
Berry,	Collum,	Duggan,

Dykes,	Kendrick,	Shaw,
Eaves,	Lee,	Sheffield,
Edmondson,	Lively,	Simmons,
Edwards,	Lumsden,	Slade,
Ellison,	Lunsford,	Slater,
Estes,	Matthews,	Smith of Calhoun,
Fagan,	MacFarland,	Smith of Campbell,
Flanders,	McCarthy,	Stephens,
Flannigan,	McIntyre,	Stewart,
Foster,	McMahan,	Strickland,
Fowler,	McMichael,	Stubbs,
Fraser,	McMullan,	Sumner,
Frier,	McWilliams,	Swilling,
Fullbright,	Martin,	Taylor of Appling,
Furr,	Massengale,	Taylor of Sumter,
Geer,	Maxwell,	Terrell,
Gibson,	Mays,	Thorne,
Glenn,	Mercer,	Thurman,
Godley,	Moore,	Tift,
Goode,	Morris,	Townsend,
Guyton,	Mundy,	Tracy,
Hall,	Nix,	Trent,
Hamilton,	Nowell,	Tuggle,
Hardeman,	Odum,	Tyson,
Harris,	Orr,	Walker of Lowndes,
Haywood,	Parker,	Walker of Milton,
Heard,	Parrish,	Walker of Wash'ton,
Hill,	Payton,	Ward,
Hines,	Perry,	Warnell,
Holder,	Persons,	Watkins,
Howard,	Peterson,	White of Madison,
Hubbard,	Pope of Brooks,	White of Screven,
Huff,	Pope of Dade,	Whitley,
Huie,	Powell,	Williams,
Hullender,	Price of Bartow,	Wilson,
Jackson,	Price of Oconee,	Wise,
Johnson of Jasper,	Reid of Macon,	Wootten,
Johnson of Jeff Davis,	Reid of Putnam,	Wright of Floyd,
Johnson of Towns,	Reid of Wilcox,	Wright of Richmond,
Jones of Meriwether,	Rogers,	Wynne,
Jones of Mitchell,	Rountree,	Young,
Keith,	Russell,	Mr. Speaker.
Kendall,	Ryals,	

Those absent were Messrs.—

Atwater,

By unanimous consent the Journal of yesterday's proceedings was dispensed with.

The following continuous special order brought over from yesterday was again taken up, to wit:

By Mr. Alexander of DeKalb—

A bill to extend the Western and Atlantic Railroad to some point on the Atlantic sea coast, and for other purposes.

The former chairman of the Committee of the whole, Mr. Wise of Fayette, being absent from the city, the Speaker designated as chairman to preside over the committee Mr. Candler of DeKalb.

After a further consideration of the bill the Committee arose and through its chairman reported progress and asked leave to sit again.

The following resolution was read and referred to the Committee on Rules, to wit

By Mr Barksdale—

A resolution making House bill No. 792 the special order for Wednesday, July 15, immediately after confirmation of Journal.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Hall of Bibb—

A resolution to provide for the reprint of certain Georgia Reports with annotations.

Referred to the General Judiciary Committee.

By Mr. Hines of Baldwin—

A bill to appropriate \$15,000 for 1908 and \$30,000 for 1909 for support and maintenance of Georgia State Sanitarium.

Referred to Committee on Appropriations.

By Mr. Hines of Baldwin—

A bill for the relief of J. W. McMillan.

Referred to Committee on Appropriations.

By Messrs. Nix and Wilson—

A bill to amend charter of the city of Norcross.

Referred to Committee on Corporations.

By Messrs. Nix and Wilson—

A bill to amend an Act to provide for holding four terms a year of the Superior Court of Gwinnett county.

Referred to Special Judiciary Committee.

By Mr. Bowen of Tift—

A bill to change time of holding Superior Court of Tift county.

Referred to Special Judiciary Committee.

By Mr. Couch of Coweta—

A bill to amend an Act to incorporate the city of Senoia.

Referred to Committee on Corporations.

By Mr. McMahan—

A bill to amend section 968, volume 1 of the Code of 1895.

Referred to Counties and County Matters Committee.

By Messrs. Duggan and Walker of Washington—

A bill to provide for the election of a judge and solicitor of city court of Sandersville.

Referred to Counties and County Matters Committee.

By Mr. Thurman of Walker—

A bill to repeal an Act entitled an Act to repeal an Act relative to creation of county courts as applies to Walker county.

Referred to Special Judiciary Committee.

By Mr. Davidson of Greene—

A resolution for relief of J. W. Turner.

Referred to the General Judiciary Committee.

By Mr. Wynne of Pulaski—

A resolution authorizing the Governor to borrow money to pay teachers.

Referred to Committee on Education.

By Mr. Hines of Baldwin—

A bill to appropriate \$12,671.76 for purpose of erect-

ing infirmary for Georgia Normal and Industrial College.

Referred to Committee on Appropriations.

By Mr. Crawford of Bartow—

A resolution seeking to learn the income of the Comptroller-General from his office.

Lay on table one day.

The following Senate bills were read the first time, to wit:

By Mr. Weaver of 41st district—

A bill to prohibit unfair commercial discrimination between different sections.

Referred to General Agriculture Committee.

By Mr. Williford of 28th district—

A bill to change the school year so that same shall begin September 1st and close August 31st.

Referred to Committee on Education.

By Mr. Crittenden of 11th district—

A bill to prohibit any county officer from hiring, etc., any misdemeanor convict.

Referred to the General Judiciary Committee.

By Mr. Hardman of 33d district—

A bill imposing penalty upon common carriers who

convert to its own use commodities intrusted to it for transportation.

Referred to the General Judiciary Committee.

Leave of absence was granted Mr. Simmons of Gilmer and Mr. Brown of Carroll.

On motion of Mr. Thurman of Walker the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

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ATLANTA, GA.,

Friday, June 10, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names

Adams of Chatham,	Ballard,	Buchannon,
Adams of Elbert,	Barksdale,	Burkhalter,
Adams of Wilkinson,	Barrett,	Burwell,
Adkins,	Barrow,	Butt,
Alexander,	Bell,	Calbeck,
Allen,	Berry,	Callaway,
Anderson of Bulloch,	Blackburn,	Candler,
Anderson of Cobb,	Bond,	Cannon,
Arnold,	Bowen,	Chamlee,
Ashley,	Boyd,	Clark,
Atkinson,	Brown of Carroll,	Clifton,
Austin,	Brown of Oglethorpe.	Collum,



Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbly,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell,
Dickey,	Jones of Mitchell,	Ryals,
Donalson,	Keith,	Shaw,
Dorminy,	Kendall,	Sheffield,
Dunbar,	Kendrick,	Simmons,
Duggan,	Lee,	Slade,
Dykes,	Lively,	Slater,
Eaves,	Lumsden,	Smith of Calhoun,
Edmondson,	Lunsford,	Smith of Campbell,
Edwards,	Matthews,	Stephens,
Ellison,	MacFarland,	Stewart,
Estes,	McCarthy,	Strickland,
Fagan,	McIntyre,	Stubbs,
Flanders,	McMahan,	Sumner,
Flannigan,	McMichael,	Swilling,
Foster,	McMullan,	Taylor of Appling,
Fowler,	McWilliams,	Taylor of Sumter,
Fraser,	Martin,	Terrell,
Frier,	Massengale,	Thorne,
Fullbright,	Maxwell,	Thurman,
Furr,	Mays,	Tift,
Geer,	Mercer,	Townsend,
Gibson,	Moore,	Tracy,
Glenn,	Morris,	Trent,
Godley,	Mundy,	Tuggle,
Goode,	Nix,	Tyson,
Guyton,	Nowell,	Walker of Lowndes,
Hall,	Odum,	Walker of Milton,
Hamilton,	Orr,	Walker of Wash'ton,
Hardeman,	Parker,	Ward,
Harris,	Parrish,	Warnell,
Haywood,	Payton,	Watkins,
Heard,	Perry,	White of Madison,

White of Screven,	Wise,	Wynne,
Whitley,	Wootten,	Young,
Williams,	Wright of Floyd,	Mr. Speaker.
Wilson,	Wright of Richmond,	

Those absent were Messrs.—

Atwater,

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following resolution was read and adopted, to wit:

By Mr. Candler of DeKalb—

A resolution fixing the order of business for tomorrow's session.

On motion of Mr. Taylor, Senate bill No. 123 was taken from the table and placed on the Calendar.

By unanimous consent the following bills were read the second time, to wit:

By Mr. Dean of Floyd—

A bill to amend the charter of the city of Rome.

By Mr. Massengale—

A bill to incorporate the city of Warrenton.

By Mr. Massengale—

A bill to create the city court of Warrenton.

Upon request of Mr. Huie of Clayton, House bill No. 63 was taken from the table and placed on the Calendar.

By unanimous consent, the following bill was read the third time and put upon its passage, to wit:

By Mr. Butt of Fannin—

A bill to amend, consolidate and supersede the several Acts incorporating the city of Blue Ridge.

Mr. Butt proposed to amend section 24 by inserting between words, “any” and “location,” in lines 12 and 13, the word “reasonable” and by striking the word “five,” between word “within” and “days,” in lines 14 and 15, and inserting the word “thirty,” also,

To amend section 54 of said bill by striking the words “such” and “reasonable,” in line eight of said section, and insert the word “one,” and by adding the word “gross,” between word “annual” and “income,” in line nine, and by striking words “as may be determined by the mayor and councilmen,” in lines 10 and 11.

The above amendments were adopted.

The report of the committee which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 140, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The following continuing special order, which was

brought over from yesterday, was again taken up, to wit:

By Mr. Alexander of DeKalb—

A bill to provide for the extension of the Western and Atlantic Railroad to some point on the sea coast.

The Speaker again resolved the House into a committee of the whole and Mr. Wise of Fayette took the chair.

After a consideration of the bill the committee arose and through its chairman reported the same back with the recommendation that it do pass by substitute.

The committee proposed the following substitute to wit:

By Mr. Wright of Richmond—

A bill providing for the appointment of a commission to investigate the matter of the extension of the Western and Atlantic Railroad and to report to the next General Assembly and for other purposes.

Mr. Wise of Fayette proposed to amend by striking the words "only" and "railroads" in section 10 of the substitute. The amendment was adopted.

The report of the committee which was favorable to the passage of the bill by substitute was agreed to as amended.

On the passage of the bill the ayes were 132, nays 1.

The bill having received the requisite constitutional majority, was passed by substitute as amended.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations have had under consideration the following House and Senate bills and direct me, as their chairman, to report same back to the House with the following recommendation, to wit:

DO PASS AS AMENDED.

An Act to amend the charter of the city of Rome.

DO PASS.

An Act to incorporate the town of Franklin.

An Act to create the office of commissioner of roads and revenues for the county of Carroll.

An Act to create and incorporate the city of Warrenton.

An Act to establish the city court of Warrenton.

SENATE BILLS DO NOT PASS.

An Act to authorize the laying off of the city of Conyers into three wards.

An Act to amend the charter of the city of Conyers.

An Act to authorize and require the payment of costs to the proper officers of court of Emanuel county

Respectfully submitted.

HAL G. NOWELL, Chairman.

This, July 9, 1908.

Mr. Blackburn, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following House bill and instructed me, as their chairman, to report same back to the House with the recommendation that same do pass as amended, to wit:

A bill to amend article 9, section 4147, Code of 1895.

Also, the following House bills with the recommendation that same do pass, to wit:

A bill to amend Act establishing the city court of Newton.

A bill to repeal Act creating board of county commissioners for Baker county.

A bill to create board of county commissioners for the county of Baker.

A bill to authorize judges of city courts in certain counties to appoint special bailiffs.

A bill to establish city court of St. Marys.

A bill to amend Act establishing city court of Ashburn.

A bill to repeal county court Act so far as applies to county of Camden.

A bill to amend Act establishing city court of Dalton.

A bill to create board of county commissioners for the county of Johnson.

A bill to create city court of Wrightsville.

A bill to create board of county commissioners for the county of McDuffie.

A bill to amend section 526, volume 1, Code of 1895, relative to road duty.

A bill to incorporate the town of Orland.

A bill to repeal Act incorporating the town of Ellijay.

A bill to create a new charter for the town of Ellijay.

A bill to amend section 982 of the Code of 1895 so as to add Fayetteville to the list of State depositories.

A bill to amend Act creating the city court of Buford.

A bill to amend Act amending Act creating city court of Tifton.

A bill to amend Act creating the city court of Sparta.

A bill to repeal Act incorporating the town of Culverton.

A bill to extend time within which work shall be

commenced on the Georgia Southwestern and Gulf Railroad.

A bill to allow common carriers to grant passes to former employes under certain conditions.

A bill to abolish county court Act so far as applies to the county of Clinch.

Respectfully submitted.

R. B. BLACKBURN, Chairman.

Mr. Donalson, chairman of Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker.*

Your Committee on Counties and County Matters has had under consideration the following House bills and, as its chairman, I am instructed to report the same back to the House as follows, to wit:

House bill No. 872 do pass.

House bill No. 919 do pass.

House bill No. 930 do pass.

House bill No. 941 do pass.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

Mr. Wright of Richmond, chairman of Committee on General Judiciary, submitted the following report:



*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following resolution of the House and instruct me, as their chairman, to report same back to the House with the recommendation that same do pass by substitute, to wit:

A resolution to pay bond of the State of Georgia number 188.

Also the following House bill with the recommendation that same be referred to committee on Special Judiciary, to wit:

A bill to amend county court Act so far as applies to Pulaski county.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.

Mr. Holder, chairman of Committee on Penitentiary, submitted the following report:

*Mr. Speaker:*

Your Committee in Penitentiary has had under consideration the following House bill and instructed me, as their chairman, to report same back to the House with recommendation that same do pass by substitute, to wit:

A bill to dispose of labor of certain felony convicts.

Respectfully submitted.

JNO. N. HOLDER, Chairman.

Mr. McMichael, chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration House bill No. 687 and instructs me, as its chairman, to report that the same do pass.

Respectfully submitted.

McMICHAEL, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the following resolution of the House, to wit:

A resolution providing for a joint committee of three from the House and two from the Senate to investigate the charge of drunkenness made by Mr. Jno. T Moore against the committee that inspected the convict camp at the Bibb Brick Co., in November, 1907.

The President of the Senate has appointed as a committee on part of the Senate under this resolution, Senators Stephens of 1st and Peacock of 14th.

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked, to wit:

A resolution urging the United States Congress to establish a National Health Bureau.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following bills of the senate, to wit:

A bill to provide for the election of the Pension Commissioner by a vote of the people.

Also a bill to regulate the compensation of judges of superior court for services rendered outside their own circuit in those judicial circuits having therein a city with a population of not less than 54,000 nor more than 60,000 inhabitants.

Also a bill to authorize judges of the city courts located in counties with cities of not less than 54,000 nor more than 75,000 to appoint special bailiffs.

Also a bill to amend the charter of the town of Shellman, in the county of Randolph.

Also a bill to amend section 97 of the Penal Code of Georgia.

Also a bill to amend an Act to establish the city court of Dublin, in Laurens county.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following bill of the Senate, to wit:

A bill to repeal an Act fixing the number of days work required of persons subject to road duty in counties having cities of not less than seventeen thousand nor more than twenty-three thousand population.

The Senate has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to prohibit the employment of inexperienced persons as engineers; to prescribe a minimum of experience, and for other purposes.

Also a bill to abolish the county court of Effingham, to dispose of business therein and for other purposes.

Also a bill to create the city court of Springfield in the county of Effingham.

The Senate has passed as amended by the requisite constitutional majority the following House bill, to wit:

A bill to appropriate fifteen thousand dollars to equip and repair the buildings on the campus of the Georgia Normal and Industrial College, at Milledgeville.

On motion of Mr. Alexander of DeKalb, House bill No. 90 was tabled.

On motion of the author House bill No. 926 was re-committed to Special Judiciary Committee.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Donalson—

A resolution making House bill No. 86 a special order.

By unanimous consent the following bills were read the second time, to wit:

By Mr. Townsend—

A bill to abolish the county court of Clinch county.

By Mr. Sumner—

A bill to amend an Act to create the city court of Ashburn.

By Mr. Harris of Crisp—

A bill to create a board of county commissioners for the county of Crisp.

By Mr. Holder of Jackson—

A bill to hire the labor of certain felony convicts for a period of five years and for other purposes.

By Mr. Donalson —

A bill to extend the time within which work shall be commenced on the Georgia, South Western & Gulf Railroad.

Mr. Donalson asked unanimous consent that House bill No. 916 be made the special and continuing order for Monday morning next, immediately after confirmation of the Journal, which request was granted.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Mr. Fraser—

A resolution to make House bill No. 723 a special order.

By Mr. Bell of Fulton—

A resolution to make House bill No. 898 a special order.

By Mr. Holder—

A resolution to make House bill No. 346 a special order.

By Mr. Wright of Floyd—

A resolution to make House bill No. 119 a special order.

The following bill was read the second time by unanimous consent, to wit:

By Mr. Parker—

A bill to incorporate the town of Woodland.

The following resolution was read and adopted, to wit:

By Mr. Candler—

Resolved that the order of business for to-morrow shall be as follows.

1. Introduction of new bills.
2. Reports of standing committees.

3. Reading of local House bills second time.
4. Reading local House bills third time.
5. Reading Senate bills first time.
6. Reading Senate bills second time.
7. Reading local Senate bills third time.

The following bill which was set for a special order to follow the bill providing for the extension of the Western & Atlantic Railroad was read the third time and put upon its passage, to wit:

By Mr. Foster of Cobb—

A bill to amend that part of section 1 of an Act entitled an Act to amend section 1, article 7, paragraph 1 of the Constitution, so as to extend the provisions of same to widows of Confederate veterans.

Leave of absence was granted Messrs. Harris of Crisp, Peterson of Montgomery, Calloway of Lee.

The hour of adjournment having arrived the Speaker announced the House adjourned until 9 o'clock to-morrow morning.

ATLANTA, GA.,

Saturday, July 11, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker, and opened with prayer by Rev. R. F. Eakes.

By unanimous consent the call of the roll was dispensed with.

The reading of the Journal of yesterday's proceedings was dispensed with by unanimous consent.

Mr. Perry, chairman of Committee on Amendments to the Constitution, submitted the following report:

The Committee having had under consideration the following bills, direct me, as their chairman, to report them back to the House as follows:

House bill No. 154 with a recommendation that it do pass.

House bill No. 806 with a recommendation that it do pass as amended.

House bill No. 562 with recommendation that it do pass as amended.

H. H. PERRY, Chairman.

Mr. Anderson, vice-chairman of Committee on General Judiciary submitted the following report:



*Mr. Speaker:*

Your Committee on General Judiciary have had under consideration the following House bills and instruct me, as their vice-chairman, to report same back to the House with the recommendation that same do pass, to wit:

A bill to fix the age for road duty in the State of Georgia.

A bill to amend section 2502 of volume 3 Code of 1895, relative to parental power.

Also the following House bills with the recommendation that the same do not pass, to wit:

A bill to establish by law when disfranchisement amendment shall go into effect.

Also the following House resolution with the recommendation that same do not pass, to wit:

A resolution to furnish certain public officers with a copy of Van Epp's Form Book.

Also the following House bill with the recommendation that same be re-referred to the Committee on Special Judiciary.

A bill to change time of holding superior court of Glascock.

Respectfully submitted.

J. J. E. ANDERSON, Vice-Chairman.

The order of business fixed for today's session was

read and the following bills were read the first time, to wit:

By Mr. McWilliams—

A bill to amend an Act to consolidate Acts to incorporate town of McDonough.

Referred to Counties and County Matters Committee.

By Mr. Williams of Dodge —

A bill to amend an Act to create board of Commissioners of roads and revenues for county of Dodge.

Referred to Counties and County Matters Committee.

By Mr. Calbeck—

A bill to authorize the conveyance of a parcel of the town commons of the town of Calhoun to G. L. Gardner.

Referred to Special Judiciary Committee.

By Messrs. Alexander and Candler—

A bill to authorize town of Decatur to issue bonds for waterworks, &c.

Referred to Corporations Committee.

By Mr. Bowen of Tift—

A resolution to pay pension due Robert Henderson.

Referred to Committee on Pensions.

By Messrs. Alexander and Candler—

A bill to authorize the town of Decatur to issue bonds to erect school buildings, &c.

Referred to Corporations Committee.

By Mr. Mercer—

A bill to repeal an Act to create the city court of Dawson.

Referred to Counties and County Matters Committee.

By Mr. Townsend—

A resolution relative to fees for granting requisitions for criminal fugitives.

Referred to General Judiciary Committee.

By Mr. Ballard—

A resolution to place Benj. F. Hays on the pension rolls.

Referred to Committee on Pensions.

By Mr. Holder of Jackson—

A resolution to pay pension to Mrs. M. L. Hughes.

Referred to Committee on Pensions.

By Mr. Orr of Coweta—

A bill to define competency of husband and wife as witnesses in actions for divorce.

Referred to General Judiciary Committee.

By unanimous consent 200 copies of the substitute for House bill No. 346 were ordered printed.

The following bills were read the second time, to wit:

By Mr. Odom—

A bill to repeal an Act to create a board of commissioners of roads and revenues for Baker county.

By Mr. Odom—

A bill to create a board of county commissioners for the county of Baker.

By Mr. Flanders—

A bill to create a board of commissioners of roads and revenues for Johnson county.

By Mr. Haywood—

A bill to create a board of commissioners of roads and revenues for McDuffie county.

By Mr. Strickland—

A bill to incorporate the town of Williamson.

By Mr. Peterson—

A bill to incorporate the town of Orland.

By Mr. Simmons—

A bill to repeal an Act to incorporate the town of Ellijay.

By Mr. Simmons—

A bill to create a new charter for the town of Ellijay.

By Mr. Trent—

A bill to incorporate the town of Franklin.

By Mr. Burwell—

A bill to repeal an Act to incorporate the town of Culverton.

By Mr. Berry—

A bill to incorporate the town of Blairsville.

By Messrs. Brown and Watkins of Carroll—

A bill to create office of commissioner of roads and revenues for the county of Carroll.

The following bills were read the third time and put upon their passage, to wit:

By Messrs. Flannigan and Holder—

A bill to amend an Act to incorporate the town of Centre.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was agreed to.

By Messrs. Flannigan and Holder—

A bill to amend Act to incorporate the town of Hoschton.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 130, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Godley—

A bill to incorporate the town of Kingsland.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Williams of Dodge—

A bill to incorporate the town of Leon.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 141, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Nowell and Arnold—

A bill to incorporate the town of Williamsville.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 140, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Calbeck—

A bill to create a new charter for the town of Fairmount.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 149, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Stubbs of Thomas—

A bill to amend charter of town of Ochlocknee.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Calbeck—

A bill to repeal an Act to create a new charter for Fairmount.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 118, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Mercer—

A bill to repeal an Act to make the roads of Terrell county 20 feet wide.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Moore of Cherokee—

A bill to authorize an election in Cherokee county to determine whether bonds shall be issued for certain purposes.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 100, nays 0.



The bill having received the requisite constitutional majority was passed.

By Mr. Fullbright—

A bill to amend the charter of town of Midville.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 151, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Huie of Clayton—

A bill to incorporate the town of Riverdale.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 139, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Fullbright—

A bill to incorporate the town of Vidette.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 127, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Taylor of Appling—

A bill to create a board of commissioners of roads and revenues for Appling county.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 141, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Gibson of Glascock—

A bill to amend an Act to create a board of commissioners of roads and revenues for Glascock county.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 152, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McMahan—

A bill providing for creation of board of health for the city of Athens.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having **received** the requisite constitutional majority was **passed**.

By Mr. Ward—

A bill to amend an Act to create new charter for city of Douglas.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Parker of Talbot—

A bill to incorporate the town of Woodland.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 139, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Persons—

A bill to amend an Act to create a board of commissioners of roads and revenues for Monroe county.

The report of the committee which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Smith of Campbell—

A bill to amend the charter of the town of Fairburn.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Godley of Camden—

A bill to incorporate the town of Woodbine.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ward of Coffee—

A bill to repeal an Act to incorporate the town of Bushnell.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 118, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Harris of Crisp—

A bill to create a board of commissioners of roads and revenues for Crisp county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 130, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Nowell and Arnold—

A bill to incorporate the town of Between.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 130, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Nowell and Arnold—

A bill to incorporate the town of Gratis.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 130, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Heard and Adkins—

A bill to amend an Act to incorporate the city of Vienna.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 125, nays c.

The bill having received the requisite constitutional majority was passed.

By Messrs. Jones and Keith of Meriwether—

A bill to incorporate the town of Chalybeate Springs.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 130, nays o.

The bill having received the requisite constitutional majority was passed.

By Messrs. Heard and Adkins—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Dooly.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays o.

The bill having received the requisite constitutional majority was passed.

By Mr. Donalson—

A bill to create a charter for the town of Iron City.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 118, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Massengale—

A bill to incorporate the city of Warrenton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Orr and Couch—

A bill to amend an Act to incorporate the Haralson school district.

The committee proposed to amend as follows: By adding to end of section 1 the following, "and also to that the lands of Jno. D. Wood, consisting of the east half of lot of land No. 166, and 20 acres of the west half of the same lot in the upper 9th district of Meriwether county be excluded from said school district, and the lines of said district be made and established, not including said described lands."

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr Moore of Cherokee—

A bill to create a board of roads and revenues for Cherokee county.

The committee proposed to amend by striking from section 1, line 3, the words "the passage of this Act," and insert in lieu thereof the words, "January 1, 1909." The amendment was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 140, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr Dean of Floyd—

A bill to amend the charter of the city of Rome so as to increase the powers of the board of public works and for other purposes.

The committee proposed to amend by adding another section to be known as section 12, to wit: Sec. 12. Be it further enacted, That section 87 of the Act approved September 25, 1883, consolidating, amending and codifying the Acts incorporating the city of Rome by adding



the words change between the words "to" and "extend," and by changing the word "and" between the words "extend" and "enlarge" to the word "or" in the fourth line of said section," also

To amend section 9 by adding between the words "firemen" and "elected," in the sixth line, the words "H. C. Harrington, chief; J. A. Sharpe, Jr., Jas. I. Dempsey, L. G. Austin, O. W. Davis, M. N. Talbot, J. H. Wyatt, A. A. Burnett, S. W. Sharp, Ray N. Tippen, Chas. E. Gilliam, W. J. May, Geo. T. Sharp, Sam D. Long, B. O. Harless, W. F. Miller, Marion Johnson, Sam Taylor, J. L. Guinn, W. H. Taylor, Frank C. Holtsclaw, who have been."

Also to amend caption of the bill by adding at end of caption the words "and to abolish the police commission of the city of Rome," and to amend the Act amending the charter of the city of Rome, approved September 25, 1883," also

To amend by adding after section 10 another section, to wit: "Sec. 11. Be it further enacted, That sections 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 of the Act of the General Assembly approved August 20, 1906, being an Act to amend the charter of the city of Rome, be and are hereby repealed, and the appointment and control of all policemen, marshals and deputies vested in the mayor and council of the city of Rome," also

To amend by striking from the third and fourth lines of the first section of the bill the words, "by its superintendent or its superintendent and consulting engineers," and from the 6, 7, 8 and 9 lines thereof the words, "and report the same to the board, and the board shall im-

mediately examine such report or reports and make necessary corrections, if any such are required," and by inserting after the word "pavements," in fifth line of said section, the words "with or without including sidewalks," and by adding after the word "may," in line 1 of section 4 of the bill the words, "by direction of the board," also

To amend by changing the word "all," in line 5 of section 8, to the word "more"; also to amend section 1 by adding before the word "approve," in line 11, the words "if found correct."

Also to amend by adding to the caption "to give the mayor and council power to prevent and remove encroachments upon its streets"; also

To amend by adding a new paragraph to be numbered as follows, and to make No. 10 as No. 13, to wit: "Sec. 10. That the mayor and council of the city of Rome shall have power and authority to make such ordinances, by-laws, rules and regulations as they may deem necessary, fully and effectually to prevent encroachments on any of its streets, sidewalks and alleys, and to remove such as now exist and such as may hereafter exist, as in their opinion the good order and welfare of said city and its inhabitants may require. The expense of removing the same shall be paid by the party so making the encroachment, to be collected as may be provided by ordinance of said city."

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 140, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The following bills were read the first time, to wit:

By Mr. McWilliams—

A bill to create the city court of McDonough.

Referred to Special Judiciary Committee.

By Mr. Huie—

A bill to incorporate the town of Forest Park.

Referred to Corporations Committee.

By Mr. Hubbard —

A resolution to pay pension due Jno. W Hamby to his widow.

Referred to Committee on Pensions.

The following Senate bills were read the first time, to wit:

By Mr. Hardeman of 33d district—

A bill to provide for the election of the Pension Commissioner by the people.

Referred to Committee on Privileges and Elections.

By Mr Hardeman—

A resolution urging congress to establish a health bureau.

Referred to Committee on Hygiene and Sanitation.

By Mr. Stephens of 1st district—

A bill to regulate compensation of judges of Superior Court for services rendered outside their own judicial circuits.

Referred to General Judiciary Committee.

By Mr. Stephens—

A bill to authorize judges of city courts in certain counties to appoint special bailiffs.

Referred to General Judiciary Committee.

By Mr. Crittenden of 11th district—

A bill to amend the charter of the town of Shellman.

Referred to Committee on Corporations.

By Mr. Williford of 28th district—

A bill to amend section 97 of the Penal Code, relating to punishment for assault with intent to murder.

Referred to General Judiciary Committee.

By Mr. Brantley of 16th district—

A bill to amend an Act to create the city court of Dublin.

Referred to Special Judiciary Committee.

By Mr. Gordy of 24th district—

A bill to repeal an Act to fix the number of days work required of persons subject to road duty.

Referred to Committee on Privileges and Elections.

The following resolutions were read, to wit:

By Mr. Shaw—

A resolution providing for the investigation of charges against Prison Commission.

Lay on table.

By Mr. Townsend—

A resolution fixing House bill No. 712 as a special order.

Referred to Committee on Rules.

Leave of absence was granted Messrs. Cook of Telfair and Guyton of Effingham.

Mr. Fullbright moved to adjourn until 10 o'clock Monday, which motion prevailed.

The Speaker then announced the House adjourned until Monday morning at 10 o'clock.

ATLANTA, GA.,

Monday, July 13, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe.	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether,	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

Atwater,

By unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with.

By unanimous consent House bill No. 47 was taken from the table and placed on the Calendar.

By unanimous consent this morning's session was ex-

tended for fifteen minutes for the purpose of reading general bills a second time.

On motion of Mr. Alexander of DeKalb, House bill No. 899 was recommitted to the General Judiciary Committee.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Mr. Edwards—

A resolution to make House bill No. 152 the special order for Thursday, July 16.

By Messrs. Whitley, Dean and Stubbs—

A resolution to make House bill No. 841 the special order for Wednesday, July 15.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following Senate bill, to wit:

A bill to amend an Act to establish the city court of Moultrie, in Colquit county.

The undersigned members of the Committee on Constitutional Amendments submitted the following minority report on House bill No. 69.

*Mr. Speaker:*

We, the undersigned members of the Committee on



Amendments to the Constitution, respectfully submit a minority report on House bill No. 69, and recommend the same do not pass.

Respectfully submitted.

W I. MACINTYRE,  
H. T. TUGGLE,  
W H. BURWELL,  
L. A. DEAN,  
C. M. CANDLER.

The following special order which was brought over from Friday's session as unfinished business, was again taken up and put upon its passage, to wit:

By Mr. Foster of Cobb—

A bill to amend section 1 of an Act to amend section 1, article 7, paragraph 1, of the Constitution so as to extend the provisions of said section to the widows of Confederate veterans.

The previous question was called and the main question ordered.

The following amendments were adopted, to wit:

By Mr. Thurman—

To amend by adding following proviso to end of section 1 of the bill as amended: "Provided that the provisions of this Act shall not extend to any soldier or widow of Confederate soldier whose property exceeds \$1,000 or whose income is more than \$300 per year."

In view of the fact that there were several committee amendments to the above bill, Mr. Flanders asked unanimous consent that the House reconsider its action in adopting the above amendment, so as to act on the committee amendments first, which was granted.

Mr. Hines moved that the House reconsider its action in calling the previous question, which motion prevailed.

On motion of Mr. Hines, the session was extended until the bill under discussion could be disposed of.

Mr. Hines then called the previous question on the bill and pending amendments, which call was sustained.

The committee proposed the following amendment, which was adopted, to wit:

To amend by adding to the end of section 2 the following:

“Provided, that no person shall be entitled to the provisions of this section, the total value of whose property of every description, including money and choses in action, shall exceed fifteen hundred dollars; and provided further, that only those widows who were married to such soldier or ex-soldier previous to the year 1870 shall be entitled to the provisions of this section.” Also by inserting in the caption before the last four words thereof the words “and for other purposes,” the following words, “and prescribing the persons entitled to the provisions of said section.”

The following amendment was adopted to the above committee amendment, to wit:

By Mr. Thurman of Walker—

To amend by adding the following to the end of section 1 of the bill as amended: "Provided the provisions of this Act shall not extend to any soldier, or widow of Confederate soldier whose property exceeds \$1,000, or whose income is more than \$300 per year."

Mr. Foster of Cobb proposed the following amendments which were adopted to wit:

To amend the caption by striking that part which occurs after the words, "A bill to be entitled an Act to amend and inserting in lieu thereof the following:

"Paragraph 1, section 1, article 7 of the Constitution of this State, so as to provide for the payment of pensions to ex-Confederate soldiers and the widows of ex-Confederate soldiers, and for other purposes."

Also to amend section 1 by striking all of said section between the enacting clause and the 38th line thereof and inserting the following: "That paragraph 1, section 1, article 7 of the Constitution of this State be and the same is hereby amended by adding at the end of said paragraph the following:" also,

To amend section 2, by adding the words, "of amendment" after the word "ratification" in lines 8 and 10 of said section, and by adding in parenthesis the words "for payment of pensions to ex-Confederate soldiers and widows of ex-Confederate soldiers" between lines 9 and 10 of said section, and by adding in parenthesis the words, "against payment of pensions to ex-Confederate soldiers and widows of ex-Confederate soldiers between

the words "State" and "as" in the 11th line of said section.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to as amended.

An amendment to the Constitution being involved, the ayes and nays were ordered, and on the passage of the bill the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Dean,	Kendall,
Adams of Wilkinson,	Dorminy,	Kendrick,
Adkins,	Duggan,	Lively,
Allen,	Dykes,	Lumsden,
Anderson of Bulloch,	Eaves,	Matthews,
Anderson of Cobb,	Edwards,	McMahan,
Arnold,	Estes,	McMichael,
Atkinson,	Flanders,	McMullan,
Austin,	Foster,	McWilliams,
Ballard,	Fowler,	Martin,
Barrett,	Fraser,	Massengale,
Barrow,	Frier,	Maxwell,
Berry,	Furr,	Mays,
Blackburn,	Gibson,	Moore,
Bond,	Glenn,	Morris,
Bowen,	Godley,	Nix,
Brown of Oglethorpe,	Goode,	Nowell,
Buchannon,	Haywood,	Orr,
Burkhalter,	Heard,	Parker,
Butt,	Hill,	Payton,
Calbeck,	Holder,	Perry,
Cannon,	Howard,	Persons,
Clifton,	Hubbard,	Pope of Dade,
Collum,	Huff,	Powell,
Covington,	Huie,	Price of Bartow,
Couch,	Hullender,	Price of Oconee,
Cowan,	Jackson,	Reid of Macon,
Culbreth,	Johnson of Towns,	Reid of Wilcox,
Davison,	Jones of Mitchell,	Rogers,

Rountree,	Taylor of Appling,	Watkins,
Russell,	Thurman,	White of Madison,
Ryals,	Townsend,	White of Screven,
Shaw,	Tracy,	Whitley,
Sheffield,	Trent,	Williams,
Slade,	Tyson,	Wilson,
Slater,	Walker of Milton,	Wise,
Smith of Calhoun,	Walker of Wash'ton,	Wynne,
Sumner,	Warnell,	

Those voting in the negative were Messrs.--

Adams of Chatham,	Donalson,	McCarthy,
Alexander,	Fullbright,	McIntyre,
Boyd,	Hall,	Odum,
Burwell,	Hamilton,	Reid of Putnam,
Candler,	Hardeman,	Stubbs,
Clark,	Harris,	Tuggle,
Cooke of Thomas,	Hines,	Wright of Floyd,
Daniel,	MacFarland,	Young,

Those not voting were Messrs.—

Ashley,	Fagan,	Simmons,
Atwater,	Flannigan,	Smith of Campbell,
Barksdale,	Geer,	Stephens,
Bell,	Guyton,	Stewart,
Brown of Carroll,	Johnson of Jasper,	Strickland,
Callaway,	Johnson of Jeff Davis,	Swilling,
Chamlee,	Jones of Meriwether,	Taylor of Sumter,
Cook of Chat'hoochee,	Keith,	Terrell,
Cook of Telfair,	Lee,	Thorne,
Crawford,	Lunsford,	Tift,
Crumbley,	Mercer,	Walker of Lowndes
Davis,	Mundy,	Ward,
Dickey,	Parrish,	Wootten,
Dunbar,	Peterson,	Wright of Richmond,
Edmondson,	Pope of Brooks,	Mr. Speaker.
Ellison,		

The roll call was verified and on counting the votes cast it was found that the ayes were 113, nays 24.

The bill having failed to receive the requisite constitutional three-fourths majority, was lost.

Leave of absence was granted Mr. Swilling.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

TUESDAY, July 14, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names.

Adams of Chatham,	Berry,	Clifton,
Adams of Elbert,	Blackburn,	Collum,
Adams of Wilkinson,	Bond,	Cook of Chat'hoochee,
Adkins,	Bowen,	Cook of Telfair,
Alexander,	Boyd,	Cooke of Thomas,
Allen,	Brown of Carroll,	Covington,
Anderson of Bulloch,	Brown of Oglethorpe,	Couch,
Anderson of Cobb,	Buchannon,	Cowan,
Arnold,	Burkhalter,	Crawford,
Ashley,	Burwell,	Crumbley,
Atkinson,	Butt,	Culbreth,
Austin,	Calbeck,	Daniel,
Ballard,	Callaway,	Davis,
Barksdale,	Candler,	Davison,
Barrett,	Cannon,	Dean,
Barrow,	Chamlee,	Dickey,
Bell,	Clark,	Donalson.

Dorminy,	Keith,	Ryals,
Dunbar,	Kendall,	Shaw,
Duggan,	Kendrick,	Sheffield,
Dykes,	Lee,	Simmons,
Eaves,	Lively,	Slade,
Edmondson,	Lumsden,	Slater,
Edwards,	Lunsford,	Smith of Calhoun,
Ellison,	Matthews,	Smith of Campbell,
Estes,	MacFarland,	Stephens,
Fagan,	McCarthy,	Stewart,
Flanders,	McIntyre,	Strickland,
Flannigan,	McMahan,	Stubbs,
Foster,	McMichael,	Sumner,
Fowler,	McMullan,	Swilling,
Fraser,	McWilliams,	Taylor of Appling,
Frier,	Martin,	Taylor of Sumter,
Fullbright,	Massengale,	Terrell,
Furr,	Maxwell,	Thorne,
Geer,	Mays,	Thurman,
Gibson,	Mercer,	Tift,
Glenn,	Moore,	Townsend,
Godley,	Morris,	Tracy,
Goode,	Mundy,	Trent,
Guyton,	Nix,	Tuggle,
Hall,	Nowell,	Tyson,
Hamilton,	Odum,	Walker of Lowndes,
Hardeman,	Orr,	Walker of Milton,
Harris,	Parker,	Walker of Wash'ton,
Haywood,	Parrish,	Ward,
Heard,	Payton,	Warnell,
Hill,	Perry,	Watkins,
Hines,	Persons,	White of Madison,
Holder,	Peterson,	White of Screven,
Howard,	Pope of Brooks,	Whitley,
Hubbard,	Pope of Dade,	Williams,
Huff,	Powell,	Wilson,
Huie,	Price of Bartow,	Wise,
Hullender,	Price of Oconee,	Wootten,
Jackson,	Reid of Macon,	Wright of Floyd,
Johnson of Jasper,	Reid of Putnam,	Wright of Richmond,
Johnson of Jeff Davis,	Reid of Wilcox,	Wynne,
Johnson of Towns,	Rogers,	Young,
Jones of Meriwether,	Rountree,	Mr. Speaker.
Jones of Mitchell,	Russell,	

Those absent were Messrs. —

Atwater,

Mr. Foster of Cobb gave notice that at the proper time he would move to reconsider the action of the House in not passing on yesterday House bill No. 69.

On motion of Mr. Wright of Floyd the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bill was read the third time and put upon its passage, to wit

By Mr. Massengale—

A bill to create the city court of Warrenton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 107, nays 0.

The bill having received the requisite constitutional majority was passed.

The following special continuing order was taken up, read the third time and put upon its passage, to wit:

By Mr. Donalson of Decatur—

A bill to extend the time within which work shall be commenced on the Georgia Southwestern & Gulf Railroad.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 112, nays 0.



The bill having received the requisite constitutional majority was passed.

The following bills were also read the third time and put upon their passage by unanimous consent, to wit:

By Mr. Sumner of Turner—

A bill to amend an Act to create the city court of Ashburn, in the county of Turner.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 114, nays 0.

The bill having received the requisite constitutional majority, was passed.

Mr. Holder, chairman of the Penitentiary Committee, submitted the following report:

*Mr Speaker:*

The Committee on Penitentiary beg leave to submit the following report:

In compliance with a resolution passed at the last session of the General Assembly the convict camps of this State both felony and misdemeanor, were visited and thoroughly inspected last November through sub-committees of five from the House and three from the Senate. Neither the State farm nor the reformatory, located near Milledgeville, have been inspected, but this will be done some time during this session of the legislature.

There are twenty-three felony camps where convicts are worked by contractors, namely:

Ashley-Price Lumber Company, Douglas—Sawmilling.

Stetson Lumber Company, Arlington—Sawmilling.

Babcock Brothers Lumber Company, Babcock—Sawmilling.

Bibb Brick Company, Macon—Brick-making.

Cherokee Brick Company, Macon—Brick-making.

Chattahoochee Brick Company, Atlanta—Brick-making.

Cruger & Pace, Albany—Brick-making.

Culbreath, T. G., Tarver—Turpentine.

Dorminy-Price Lumber Company, Broxton—Sawmilling.

Durham Coal and Coke Company, Pittsburg—Coal-mining.

Flowers Lumber Company, Jakin—Sawmilling.

Flowers Brothers' Lumber Company, Blakely—Sawmilling.

Georgia Iron & Coal Company, Ferrobutte—Iron ore mining.

Baxter, G. S. & Co., Fargo—Sawmilling, etc.

Holmes, Dr. J. B. S., Lake Park—Farming.

Lookout Mountain Coal & Coke Company, Pittsburg  
—Coal-mining.

Milltown Lumber Company, Milltown—Sawmilling.

Palmer Brick Company, Atlanta—Brick-making.

Royster Guano Company, Macon—Manufacturing  
guano.

Stanley, S. M., Valdosta—Turpentine.

Stevens, H. & Sons Company, Macon—Tile-making.

Muscogee Brick Company, Columbus—Brick-making.

Southern Lumber Company, Tifton—Turpentine.

State Farm, Milledgeville—Farming (men.)

State Farm, Milledgeville—Farming (women.)

Twenty-eight counties are working their pro rata share  
of felony convicts on the public roads. These counties  
are—

Bibb	43
Burke	27
Clarke.	18
Coweta	24
Columbia .	11
Dougherty . . .	12
DeKalb . . . . .	21
Elbert	18
Floyd . . . . .	31

Fulton	110
Green	15
Jackson	23
Jefferson	16
Jones	12
Johnson	10
Laurens	24
Lee	11
Lincoln	6
McDuffie	10
Morgan	14
Monroe	19
Oglethorpe	17
Pulaski	18
Richmond	56
Spalding	16
Terrell	11
Walton	11
Wilkes	11

Sixty-three counties are working their misdemeanor convicts on the public thoroughfares, and the counties thus working them are as follows:

Appling,	Columbia,
Baldwin,	Clinch,
Berrien,	Coweta,
Bartow,	Chatham,
Bibb,	Colquitt,
Bulloch,	Decatur,
Burke,	DeKalb,
Ben Hill,	Dougherty,
Calhoun,	Early,
Clarke,	Elbert,

Effingham,	Muscogee,
Emanuel,	Newton,
Floyd,	Oglethorpe,
Fulton,	Putnam,
Green,	Pulaski,
Glynn,	Randolph,
Hancock,	Richmond,
Irwin,	Sumter,
Jackson,	Screven,
Jasper,	Spalding,
Jenkins,	Taliaferro,
Johnson,	Telfair,
Jones,	Terrell,
Jefferson,	Thomas,
Laurens,	Turner,
Lee,	Washington,
Lowndes,	Ware,
Lincoln,	Walton,
McDuffie,	Warren,
Miller,	Wilkes,
Monroe,	Worth.
Morgan,	

Some counties hire out their misdemeanor convicts to private parties. The counties so hiring them out and the parties to whom they are hired are as follows:

Appling	Beecher & Varnadoe
Baker	Bowers & Kendall
Baker	McConnell Brothers
Calhoun	Stetson Lumber Company
Coffee	W W Stewart & Brother
Coffee	.Riverside Brick Company
Coffee	D. B. Gray

Coffee.	.A. B. Fisher & Company
Colquitt	.Pinson & Williams
Decatur	T. J. Shingler & Brother
Decatur	.Hodges & Powell
Decatur	Chattahoochee L. Company
Decatur	.G. L. Davis
Decatur	.Ball Naval Store Company
Dougherty	G. B. McConneil
Franklin	.Little Brothers
Jeff Davis	.A. T. Beach & Company
Mitchell.	Ball Naval Store Company
Oglethorpe	J. M. Smith
Oconee	J. D. Price
Thomas	Mills & Williams
Turner	J. S. Betts & Company
Worth	M. G. Dupree
Worth	J. D. Bridges
Worth	T. J. Fowler
Worth	Conly & Pinson

The felony convicts are properly clothed and fed, humanely treated, the laws of the State, together with the rules of the Prison Commission, are complied with at all the camps except the following:

Bibb Brick Company, Cherokee Brick Company, Royster Guano Company, Stevens Pottery Company, and the Bibb Road Camp, all located in Bibb county.

The complaints against them are that the quality of the food is poor and badly prepared; the beds and bedding are not clean, and at the brick companies the men are worked too hard at the brick machine and in loading brick.

The Chattahoochee Brick Company, located in Fulton county: Beds and bedding not clean, floors are filthy, and the dining-room not fit for human beings to eat in. Some of the men work at night and on Sunday.

Lookout Mountain convicts are required to wash their clothing on the Sabbath. Warden Maxwell violates the rules of the Prison Commission by indulging in profane language to and in the presence of the convicts.

Richmond County Road Camp: Sleeping quarters poor and camp apparently unsanitary.

Jones County Road Camp: Bedding and clothing scant and dirty. Beds and bedding very filthy.

Monroe County Road Camp: Cars are too small and beds dirty. Their condition is unsanitary.

Spalding County Road Camp: Beds and bedding dirty. Cars too small and their condition unsanitary.

Floyd County Road Camp: In need of a mess-hall.

Fulton County Road Camp : Floors dirty and clothing unclean.

The working of convicts on the public thoroughfares is a new experiment with many counties of this State, but at nearly all the road camps the convicts are not overworked, but are well fed, properly clothed and humanely treated.

By a system of very thorough inspection the Prison Commission has contributed a great deal towards the proper care, management and treatment of convicts, whether they are worked by contractors or on the public highways.

There are five hundred and sixty-one misdemeanor convicts farmed out or sold to private individuals or corporations. This is done in the face of a statutory inhibition. At several of these camps the convicts are poorly sheltered and badly treated. These camps being illegal, the Prison Commission has had no jurisdiction over them. No illegal camp should be allowed to exist in the State.

The Governor of this State was apprised of the findings of the several sub-committees and he suggested that a second inspection be made of those camps where the sub-committees reported irregularities, and a non-compliance with the rules and regulations of the Prison Commission and a violation of the laws of the State. So, in April, other sub-committees were named to make a second inspection of the camps where irregularities were found. These second sub-committees made their inspection in April. The committees were notified only a few hours before they did the work, and the parties in charge of the camps had no hint of the second visit of the sub-committees until they were on the premises.

These committees found that nearly all the camps, against which criticism was leveled by the first committees that inspected them in November had been greatly improved. In fact, no great irregularities were found at any of the camps located in Bibb, Fulton, Richmond and Floyd.

Having learned that several deputy wardens were receiving more money from the contractors than they were from the State, we communicated this information to the Governor who declared, in very emphatic language, that if in his power to do so, this practice had to be stopped,



and that he would have a conference on the subject with the Prison Commission at once.

The same information was also given to the Prison Commission, who declared that they were already apprised of this before we communicated it to them, and that already they were preparing to take steps to prevent same, and would do so as early as they could without jeopardizing the interests of the State and the welfare of the convicts.

Recently the Prison Commission have issued very stringent orders against any warden, deputy warden, guard or other employee of the Prison Commission receiving any emoluments from any source except the State so long as they were employed by the State. In other that no injustice should be done these employees it should be stated that they claim they were receiving compensation for legitimate services rendered the contractors, and that the service in no way conflicted with their duties to the State. Being the custodians of the convicts and the representatives of the State in the handling, care and protection of convicts, we unhesitatingly say that no warden, deputy warden, guard or other employee should receive any remuneration for any service rendered from any source save that of the State, for that old adage comes to us that "No man can serve two masters." No warden can serve the State and contractor at the same time.

We were informed that the chief warden assisted certain lessees in sub-leasing their convicts, for which he received pay. He admitted this to be true, but said it did not conflict with his duties as chief warden. This was reported to both the Governor and the Prison Commission.

Complaints were made by the convicts at some of the camps that the camp physicians do not make daily visitations to the camps.

As members of the Penitentiary Committee we have endeavored to perform every duty imposed on us by the joint resolution passed at the last session of the General Assembly. It has been our most earnest desire to be derelict in not one single duty, however small. If we have been impelled to criticise the management of any camp or the treatment of the convicts anywhere it has been, not because it gave us pleasure to do so, for, on the contrary, it gave us great pain to make such a report. However, as true, faithful and honest servants of the State it is our duty to make a report in which we convey to the House the facts as we found them. Having done this, we have the approval of our consciences in having discharged our full duty.

JNO. N. HOLDER,  
Chairman House Penitentiary Committee.

Mr. Slaton, chairman of the Committee on Rules, submitted the following report:

*Mr Speaker:*

Your Committee on Rules have had under consideration the following House resolution, and instructed me as their chairman to report same back to the House with the recommendation that same do pass by substitute, to wit:

A resolution to make House bill No. 723 a special order.

Also the following House resolution with the recommendation that same do pass, to wit:

A resolution to make House bill No. 346 a special order.

Respectfully submitted.

JNO. M. SLATON, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker.*

The Senate has passed by the requisite constitutional majority the following bill of the House, to wit

A bill to amend an Act creating a board of commissioners of roads and revenues for the county of Putnam.

The Senate has concurred in the following resolution of the House, to wit:

A resolution to approve the application of the board of trustees of the University of Georgia for admission of the University of Georgia, such of its colleges and technical schools as may be eligible for participation in the rights and privileges of the Carnegie foundation fund.

The Senate has passed as amended the following resolution of the House, to wit:

A resolution to provide for the payment of \$54.16 to W. A. McAllister for armory rent for the Fort Gaines Guards.

The following special order was read the third time and put upon its passage, to wit:

By Mr. Fraser of Liberty—

A bill relating to the preservation, propagation and protection of game and fish, and for other purposes.

By unanimous consent the above bill was set as a special and continuing order for next Monday immediately after the confirmation of the Journal, and 200 copies ordered printed for the use of the House.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Huie of Clayton—

A resolution to make House bill No. 562 the special and continuing order for July 21 immediately after confirmation of Journal.

On motion of Mr. Shaw of Clay the following resolution was taken up, to wit:

By Mr. Shaw of Clay—

A resolution providing for the appointment of a committee to investigate certain charges made against the Prison Commission, and for other purposes.

Mr. Shaw proposed the following substitute, to wit:

A resolution providing for the appointment of a committee of three from the House and two from the Senate to investigate each and every department of the Prison Commission, convict camps, etc., and to report its findings to the present or next succeeding General Assembly, and for other purposes.

The following amendments to the substitute was adopted, to wit:

By Mr. Holder—

To amend by inserting the words “by the joint Committee on Penitentiary of the House and Senate” after the word “attention,” at end of line 2.

By Mr. Wright of Richmond—

To amend by striking the words “and each and every convict camp of the State,” and to add at the end of line 12 on page 2 of the resolution the following, “and that the duties of this committee shall be confined to an examination of the conduct and management of the Prison Commission and its officers and lessees.”

By Mr. Covington—

To amend by striking from same in line 23 the words, “or the next.”

By Mr. Burwell of Hancock—

To amend by striking all of the substitute after the words “of this State,” in line 12, page 2.

All of the above amendments to the substitute were agreed to.

On the adoption of the substitute as amended, Mr. Wright of Floyd called for the ayes and nays, which call was sustained, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,      Adams of Elbert,      Adams of Wilkinson,

Alexander,	Frier,	Parker,
Allen,	Fullbright,	Payton,
Anderson of Bulloch,	Furr,	Perry,
Anderson of Cobb,	Gibson,	Persons,
Arnold,	Glenn,	Pope of Brooks,
Ashley,	Godley,	Pope of Dade,
Atkinson,	Goode,	Powell,
Austin,	Hamilton,	Price of Bartow,
Ballard,	Hardeman,	Price of Oconee,
Barrett,	Harris,	Reid of Macon,
Barrow,	Haywood,	Reid of Putnam,
Bell,	Heard,	Reid of Wilcox,
Blackburn,	Hill,	Rogers,
Bond,	Hines,	Rountree,
Boyd,	Holder,	Russell,
Brown of Carroll,	Howard,	Ryals,
Brown of Oglethorpe,	Hubbard,	Shaw,
Buchannon,	Huie,	Sheffield,
Burkhalter,	Hullender,	Simmons,
Burwell,	Jackson,	Smith of Calhoun,
Calbeck,	Johnson of Towns,	Strickland,
Candler,	Jones of Meriwether,	Stubbs,
Chamlee,	Jones of Mitchell,	Sumner,
Clark,	Keith,	Swilling,
Clifton,	Kendall,	Taylor of Appling,
Collum,	Kendrick,	Taylor of Sumter,
Cooke of Thomas,	Lee,	Terrell,
Covington,	Lively,	Thurman,
Couch,	Matthews,	Tift,
Cowan,	MacFarland,	Tracy,
Daniel,	McCarthy,	Trent,
Davis,	McIntyre,	Tuggle,
Davison,	McMahan,	Tyson,
Dean,	McMichael,	Walker of Milton,
Dunbar,	McMullan,	Walker of Wash'ton,
Duggan,	McWilliams,	Ward,
Dykes,	Martin,	Watkins,
Eaves,	Massengale,	White of Madison,
Edwards,	Maxwell,	White of Screven,
Ellison,	Mays,	Whitley,
Fagan,	Mercer,	Williams,
Flanders,	Moore,	Wilson,
Flannigan,	Mundy,	Wright of Floyd,
Foster,	Nix,	Wright of Richmond,
Fowler,	Nowell,	Wynne,
Fraser,	Orr,	Young,

Those voting in the negative were Messrs.—

Adkins,	Estes,	Slade,
Barksdale,	Hall,	Slater,
Berry,	Huff,	Stewart,
Butt,	Johnson of Jasper,	Thorne,
Donalson,	Lumsden,	Wootten,

Those not voting were Messrs.—

Atwater,	Dickey,	Parrish,
Bowen,	Dorminy,	Peterson,
Callaway,	Edmondson,	Smith of Campbell,
Cannon,	Geer,	Stephens,
Cook of Chat'hoochee,	Guyton,	Townsend,
Cook of Telfair,	Johnson of Jeff Davis,	Walker of Lowndes,
Crawford,	Lunsford,	Warnell,
Crumbley,	Morris,	Wise,
Culbreth,	Odum,	Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the adoption of the substitute the ayes were 141, nays 15.

The substitute was therefore adopted.

The resolution was then adopted by substitute as amended.

Mr. Covington, chairman of the Committee on Railroads submitted the following report:

*Mr. Speaker:*

*Your Committee on Railroads having had under consideration House bill No. 264, being a bill to prevent the selling of tickets for Sunday use at less than regular rate,*

beg leave to return the same to the House with the recommendation that the same do pass.

W A. COVINGTON, Chairman.

July 14, 1907.

Mr. Anderson, vice-chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary having had under consideration the following bills of the House, instructed me as their vice-chairman to report same back to the House with the recommendation that same do not pass, to wit:

A bill to amend section 1116 of the Code of 1895.

A bill to amend section 1082 of the Code of 1895.

Respectfully submitted.

J. A. J HENDERSON, Vice-chairman.

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report

*Mr. Speaker:*

Your Committee on Counties and County Matters has had under consideration the following House bills and House resolution No. 215, and as its chairman I am instructed to report the same back to the House as follows, to wit:

House resolution No. 215, do pass.



House bill No. 943, do pass.

House bill No. 970, do pass.

House bill No. 902, do pass.

House bill No. 205, do pass by substitute.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

Mr. McMichael, chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration House bill No. 881, and instructs me as its chairman to report that the same "do pass as amended."

Respectfully submitted.

E. H. McMICHAEL, Chairman.

Mr. McMahan, chairman of the Committee on State University, submitted the following report:

*Mr. Speaker:*

Your Committee on University and Branches has had under consideration Senate bill No. 2, and instruct me as their chairman to report the same back with the recommendation that the same do pass.

Respectfully submitted.

J. J. C. McMAHAN, Chairman.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Messrs. Frier and Whitley—

A resolution to make House bill No. 417 the special order for July 23, 1908.

By Mr. Mundy—

A resolution to make House bill No. 273 a special order.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Hall of Bibb—

A bill to change the time of meeting of the General Assembly.

Referred to Committee on Constitutional Amendments.

By Messrs. Young and Tuggle—

A bill to change the time of holding the terms of the superior court of Troup county.

Referred to General Judiciary Committee.

By Mr. Alexander of DeKalb—

A bill to amend the charter of the town of Kirkwood.

Referred to Committee on Corporations.

By Mr Swilling—

A bill to authorize the city of Lavonia to create and maintain a system of public schools.

Referred to Committee on Education.

By Mr. Maxwell—

A bill to create the city court of Jeffersonville.

Referred to Special Judiciary Committee.

By Mr Heard of Dooly—

A bill to amend an Act to create the Department of Banks and Banking.

Referred to Committee on Banks and Banking.

By Mr. Reid of Macon—

A bill to amend an Act to create the city court of Oglethorpe.

Referred to Counties and County Matters Committee.

By Messrs. Blackburn and Bell—

A bill to amend an Act to provide a new charter for the town of East Point.

Referred to Special Judiciary Committee.

By Mr. Berry of Union—

A bill to prohibit the sale of any article as a beverage containing alcohol.

Referred to Committee on Temperance.

By Messrs. Slaton, Blackburn and Bell—

A bill to amend an Act to amend an Act to create a new charter for the city of Atlanta.

Referred to Special Judiciary Committee.

By Mr. White of Madison—

A bill to amend section 982, volume 1 of the Code so as to make the town of Comer a State depository.

Referred to Committee on Banks and Banking.

By Messrs. Alexander, Burwell, Candler, Covington, and Wright of Floyd—

A bill to prohibit the farming out of convicts or their labor, and authorize an issue of bonds for taking over convicts, and for other purposes.

Referred to Committee on Constitutional Amendments.

By Mr. McWilliams—

A bill to provide for place where ballots should be deposited, received and counted.

Referred to Special Judiciary Committee.

By Mr. Orr—

A bill to create the city court of Newnan.

Referred to Special Judiciary Committee.

By Mr. Chamlee of Floyd—

A bill to provide how minors over fourteen years of age may receive the benefits of scholarships.

Referred to Committee on Education.

By Mr. Davison of Greene—

A resolution to pay Mrs. L. H. Ledsinger for copying pension rolls.

Referred to Committee on Appropriations.

By Mr. Lee of Glynn—

A bill to amend Act to create the city court of Brunswick.

Referred to Special Judiciary Committee.

By Mr. Payton—

A bill to impose a tax upon such domestic animals as are destructive of property, especially dogs.

Referred to General Agricultural Committee.

By Mr. Lee of Glynn—

A bill to amend the charter of the city of Brunswick.

Referred to Committee on Corporations.

By Mr. Flanders—

A bill to create the city court of Wrightsville.

Referred to Special Judiciary Committee.

By Mr. Lee of Glynn—

A bill to authorize the commissioners of Glynn county to issue bonds.

Referred to Counties and County Matters Committee.

By Mr. Lee of Glynn—

A bill to amend an Act to incorporate the city of Brunswick.

Referred to Committee on Corporations.

By Mr. Couch of Coweta—

A bill to amend section 574, volume 1 of the Code.

Referred to Counties and County Matters Committee.

By Mr. Hall of Bibb—

A bill to authorize corporations or individuals to construct dams across non-navigable streams, and for other purposes.

Referred to General Judiciary Committee.

By Mr. Tyson of Emanuel—

A resolution to pay Geo. M. Brinson \$50.00.

Referred to Committee on Appropriations.

By Mr. Payton of Worth—

A resolution to reimburse J. C. Rogers for money paid on certain bond of Eddie Harris.

Referred to Committee on Penitentiary.

By Mr. Payton—

A resolution to pay pension to Jno. R. Edwards.

Referred to Committee on Pensions.

By Mr. Holder—

A resolution to make House bill No. 346 a special and continuing order for July 16.

The above resolution was adopted.

Leave of absence was granted Messrs. Bowen of Tift and Dorminy of Ben Hill.

The hour of adjournment having arrived the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

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ATLANTA, GA.,

WEDNESDAY, July 15, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names :

Adams of Chatham,	Adkins,	Anderson of Bulloch,
Adams of Elbert,	Alexander,	Anderson of Cobb,
Adams of Wilkinson,	Allen,	Arnold,

Ashley,	Dykes,	Lively,
Atkinson,	Eaves,	Lumsden,
Austin,	Edmondson,	Lunsford,
Ballard,	Edwards,	Matthews,
Barksdale,	Ellison,	MacFarland,
Barrett,	Estes,	McCarthy,
Barrow,	Fagan,	McIntyre,
Bell,	Flanders,	McMahan,
Berry,	Flannigan,	McMichael,
Blackburn,	Foster,	McMullan,
Bond,	Fowler,	McWilliams,
• Bowen,	Fraser,	Martin,
Boyd,	Frier,	Massengale,
Brown of Carroll,	Fullbright,	Maxwell,
Brown of Oglethorpe,	Furr,	Mays,
Buchannon,	Geer,	Mercer,
Burkhalter,	Gibson,	Moore,
Burwell,	Glenn,	Morris,
Butt,	Godley,	Mundy,
Calbeck,	Goode,	Nix,
Callaway,	Guyton,	Nowell,
Candler,	Hall,	Odum,
Cannon,	Hamilton,	Ort,
Chamlee,	Hardeman,	Parker,
Clark,	Harris,	Parrish,
Clifton,	Haywood,	Payton,
Collum,	Heard,	Perry,
Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbley,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell,
Dickey,	Jones of Mitchell,	Ryals,
Donalson,	Keith,	Shaw,
Dorminy,	Kendall,	Sheffield,
Dunbar,	Kendrick,	Simmons,
Duggan,	Lee,	Slade,



Slater,	Thurman,	White of Madison,
Smith of Calhoun,	Tift,	White of Screven,
Smith of Campbell,	Townsend,	Whitley,
Stephens,	Tracy,	Williams,
Stewart,	Trent,	Wilson,
Strickland,	Tuggle,	Wise,
Stubbs,	Tyson,	Wootten,
Sumner,	Walker of Lowndes,	Wright of Floyd,
Swilling,	Walker of Milton,	Wright of Richmond,
Taylor of Appling,	Walker of Wash'ton,	Wynne,
Taylor of Sumter,	Ward,	Young,
Terrell,	Warnell,	Mr. Speaker.
Thorne,	Watkins,	

Those absent were Messrs.—

Atwater,

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with :

By unanimous consent the following bill was read the third time and put upon its passage, to wit :

By Mr. Ryals of Bibb—

A bill to provide for a third State depository in the city of Atlanta, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent the morning's session was extended ten minutes for the purpose of reading all bills a second time.

Mr. Nowell, chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker.*

Your Committee on Corporations have had under consideration the following bills of the House and Senate, and direct me as their chairman to report same back to the House with recommendation that same do pass, to wit:

An Act to create a new charter for the city of Jackson.

An Act to amend the charter of the city of Griffin.

An Act repealing an Act establishing a new charter for the town of Franklin.

An Act to amend the charter of the city of Norcross.

An Act to authorize the mayor and council of Decatur to issue bonds.

An Act to authorize the mayor and council of Decatur to issue bonds for the purpose of enlarging the water-works system.

SENATE BILL.

An Act to amend the charter of the town of Shellman.

Respectfully submitted.

HAL. G. NOWELL, Chairman.

Mr. Martin, chairman of the Committee on General Agriculture, submitted the following report:

*Mr Speaker:*

Your Committee on General Agriculture having had under consideration the following House bill, instructed me as their chairman to report same back to the House with the recommendation that same do pass, to wit:

A bill to exempt farm products from taxation for twelve months from time of harvest.

Respectfully submitted.

L. H. O. MARTIN Chairman.

Mr. Blackburn, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on Special Judiciary having had under consideration the following House bills, instructed me as their chairman to report same back to the House with the recommendation that same do pass, to wit:

A bill to amend section 61 of Code of 1895 relative to voting.

A bill to change time of holding Glascock superior court.

A bill to require certain hotels to furnish mosquito bars.

A bill to amend section 2760, Code of 1895, relative to manner of foreclosing mortgages on personal property.

A bill to provide for appointment of two special bailiffs in certain counties.

A bill to amend Act creating city court of Monticello.

A bill to amend Act providing for holding of four terms of Gwinnett superior court.

A bill to change time of holding Tift superior court.

A bill to repeal county court Act in so far as same applies to Walker county.

A bill to authorize town of Calhoun to convey by deed a certain parcel of the town common to G. L. Gardner.

Respectfully submitted.

R. B. BLACKBURN, Chairman.

Mr. Candler, chairman of the Committee on Appropriations, submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations have had under consideration the following resolution, and instruct me as their chairman to report same back with the recommendation that it do pass

By Mr. Burwell—

For relief of W. M. Hutchinson.

Respectfully submitted.

C. M. CANDLER, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof

*Mr. Speaker:*

The Senate has adopted the following resolution, in which the concurrence of the House is respectfully asked, to wit:

A resolution providing for a joint committee of three from the Senate and five from the House of Representatives to investigate charges against the convict system of Georgia.

The following message was received from the Senate through Mr. Northen, Secretary thereof

*Mr Speaker:*

The Senate has passed as amended, by the requisite constitutional majority, the following House bill, to wit:

A bill to appropriate ten thousand dollars to the trustees of the University of Georgia for the use of the State Normal School at Athens.

By unanimous consent the following bill was read the second time and recommitted, to wit

By Mr. Swilling of Franklin—

A bill to authorize the city of Lavonia to establish and maintain a system of public schools.

On motion of Mr. Hall of Bibb, the session of this morning was extended for five minutes for the purpose of introducing and reading bills and resolutions a first time.

Mr. Barrett, of Stephens, in accordance with his previ-

ous notice, moved to reconsider the action of the House in passing House bill No. 37, which prescribes the penalty for non-delivery of messages by telegraph companies, which motion was lost.

Mr. Foster of Cobb moved that the House reconsider its action in defeating House bill No. 69, relative to the payment of pensions, which motion prevailed.

Mr. Rogers of Randolph, vice-chairman of the Committee on Roads and Bridges, submitted the following report:

*Mr Speaker:*

The Committee on Roads and Bridges has had under consideration the following bills and report the same back with the recommendation that they do pass, to wit:

A bill entitled an Act to define who are subject to road duty in Georgia, and for other purposes.

Committee recommend this do pass.

A bill entitled an Act to provide for the construction and maintenance of macadamized roads between the counties in the State of Georgia.

This bill is tabled for further action.

A bill to be entitled an Act to regulate the running of automobiles, locomobiles and other vehicles and conveyances whose motive power is other than animals, etc., along and over the highways of this State, and for other purposes.

The committee recommends this bill do pass.

W T. ROGERS, Secretary.

Mr. Hall of Bibb moved to reconsider the action of the House in passing on yesterday a resolution providing for the investigation of the Prison Commission, which motion was lost.

By unanimous consent, the following bills were read the second time, to wit :

By Messrs. Duggan and Walker of Washington—

A bill to provide for the election of the judge and solicitor of the city court of Sandersville.

By Mr. Burwell of Hancock—

A bill to amend an Act to create the city court of Sparta.

By Mr. Lumsden of White—

A bill to amend an Act to create a board of commissioners of turnpike roads in this State.

By Mr. Thurman—

A bill to repeal an Act entitled an Act to repeal an Act to create the county court of Walker county.

On motion of Mr. Whitley, House bill No. 875 was taken from the Committee on Hygiene and Sanitation and committed to Committee on Appropriations.

By unanimous consent the following bills were read the first time, to wit :

By Mr. Glenn of Whitfield—

A bill to amend section 2814 of the Code, and for other purposes.

Referred to General Judiciary Committee.

By Mr. Glenn—

A bill to amend section 326 of the Code as amended making more specific the crime of barrettry.

Referred to General Judiciary Committee.

By Mr. Glenn—

A bill to amend section 4429 of the Code providing for removal of attorneys at law for special causes.

Referred to General Judiciary Committee.

By Mr. Payton of Worth—

A bill to amend paragraph 2, section 1, article 11, of the Constitution relative to the creation of new counties.

Referred to Committee on Constitutional Amendments.

By Mr. Walker of Milton—

A bill to amend paragraph 2, section 7, article 6 of the Constitution.

Referred to Committee on Constitutional Amendments.



By Mr. Collum of Schley—

A bill requiring fertilizer manufacturers to brand the amount of filler contained in fertilizers.

Referred to General Agricultural Committee.

By Mr. Huff of Lumpkin—

A bill to create in each county the office of county commissioner of agriculture.

Referred to General Agricultural Committee.

By Mr. Johnson of Jasper—

A resolution requesting the Governor to report the fact of the suspension of Hon. Jos. M. Brown from the Railroad Commission.

Lay on table one day

By Mr. Hubbard of Dawson—

A resolution to pay pension due Thomas Honea to his widow.

Referred to Committee on Pensions.

By Mr. Ward of Coffee—

A bill to amend an Act entitled an Act to amend an Act to create the city court of Douglas.

Referred to Committee on Corporations.

By Mr. Fullbright—

A bill to amend an Act to create the city court of Waynesboro.

Referred to Special Judiciary Committee.

By Mr. Pope of Brooks—

A bill to incorporate the town of Dixie, in Brooks county.

Referred to Committee on Corporations.

By unanimous consent the following bill was read the second time and recommitted, to wit:

By Messrs. Alexander, Burwell, Candler, Covington and Wright of Floyd—

A bill to prohibit the hiring out of convicts or their labor, etc.

The following resolutions were read, to wit:

By Mr. Payton—

A resolution to make House bill No. 362 a special order.

Referred to Committee on Rules.

By Mr. Adams of Chatham—

A resolution to make House bill No. 47 a special order.

Referred to Committee on Rules.

By Mr. Foster of Cobb—

A resolution to make House Bill No. 69 a special order.

Referred to Committee on Rules.

On motion of Mr. Wise Senate resolution No. 20 was taken from the table and placed on the calendar.

The following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Hardman of 33d district—

A bill to amend an Act to appropriate \$100,000 for the building of an agricultural college at Athens.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 7.

The bill having received the requisite constitutional majority was passed.

By Mr. Born of 34th district—

A bill to prohibit the giving of franks and passes by corporations of this State, and for other purposes.

Mr. Hall of Bibb moved that the above bill be indefinitely postponed.

The previous question was called and the main question ordered.

On the motion to indefinitely postpone Mr. Wright of

Floyd called for the ayes and nays, which call was sustained and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Fagan,	Martin,
Adams of Elbert,	Fowler,	Maxwell,
Allen,	Fraser,	Mercer,
Anderson of Bulloch,	Fullbright,	Nowell,
Arnold,	Geer,	Parrish,
Ashley,	Glenn,	Perry,
Barksdale,	Godley,	Peterson,
Barrow,	Hall,	Price of Oconee,
Bell,	Harris,	Reid of Macon,
Berry,	Haywood,	Russell,
Blackburn,	Heard,	Ryals,
Boyd,	Howard,	Slater,
Brown of Oglethorpe,	Huff,	Stephens,
Buchannon,	Johnson of Jasper,	Taylor of Appling,
Butt,	Lively,	Terrell,
Clifton,	Lumsden,	Thorne,
Culbreth,	Matthews,	Tift,
Davison,	McCarthy,	Trent,
Dunbar,	McMullan,	Walker of Wash'ton,
Dykes,		

Those voting in the negative were Messrs.—

Adkins,	Covington,	Frier,
Alexander,	Couch,	Furr,
Anderson of Cobb,	Cowan,	Gibson,
Atkinson,	Crawford,	Goode,
Austin,	Daniel,	Hamilton,
Ballard,	Davis,	Hill,
Bond,	Dean,	Hines,
Brown of Carroll,	Dickey,	Holder,
Burkhalter,	Donalson,	Hubbard,
Burwell,	Duggan,	Huie,
Calbeck,	Eaves,	Hullender,
Candler,	Edwards,	Jackson,
Chamlee,	Ellison,	Johnson of Towns,
Clark,	Flanders,	Jones of Meriwether,
Cook of Chat'hoochee,	Flannigan,	Jones of Mitchell,
Cooke of Thomas,	Foster,	Keith,

Kendall,	Persons,	Tracy,
Kendrick,	Pope of Dade,	Tuggle,
MacFarland,	Powell,	Walker of Milton,
McIntyre,	Reid of Putnam,	Ward,
McMahan,	Reid of Wilcox,	Watkins,
McMichael,	Rogers,	White of Madison,
McWilliams,	Sheffield,	White of Screven,
Massengale,	Slade,	Whitley,
Mays,	Smith of Campbell,	Williams,
Moore,	Stewart,	Wise,
Morris,	Strickland,	Wootten,
Mundy,	Stubbs,	Wright of Floyd,
Orr,	Swilling,	Wright of Richmond,
Parker,	Taylor of Sumter,	Wynne,
Payton,	Thurman,	Young,

Those not voting were Messrs.—

Adams of Wilkinson,	Estes,	Shaw,
Atwater,	Guyton,	Simmons,
Barrett,	Hardeman,	Smith of Calhoun,
Bowen,	Johnson of Jeff Davis,	Sumner,
Callaway,	Lee,	Townsend,
Cannon,	Lunsford,	Tyson,
Collum,	Nix,	Walker of Lowndes,
Cook of Telfair,	Odum,	Warnell,
Crumbly,	Pope of Brooks,	Wilson,
Dorminy,	Price of Bartow,	Mr. Speaker.
Edmondson,	Rountree,	

By unanimous consent the verification of the roll call was dispensed with.

On the motion to indefinitely postpone, the ayes were 58, nays 93. The motion was therefore lost.

Leave of absence was granted Mr. Butt of Fannin.

The hour of adjournment having arrived, the Speaker announced the house adjourned until 9 o'clock tomorrow morning.

## ATLANTA, GA.

Thursday, July 16, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbly,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe,	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,

Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether,	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Summer,	

Those absent were Messrs.—

Atwater,

The Journal of yesterday's proceedings was read and confirmed.

By unanimous consent the following bills were read the third time and put upon their passage, to wit

By Mr. Burwell—

A bill to amend an Act to create the city court of Sparta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Burwell—

A resolution for the relief of A. N. Hutchinson of Hancock county.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Fullbright of Burke.

After a consideration of the resolution the committee arose and through their chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows :

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Allen,	Austin,
Adams of Elbert,	Anderson of Bulloch,	Ballard,
Adams of Wilkinson,	Anderson of Cobb,	Barrett,
Adkins,	Arnold,	Blackburn,
Alexander,	Atkinson,	Bond,



Brown of Oglethorpe,	Godley,	Pope of Brooks,
Buchannon,	Goode,	Pope of Dade,
Burkhalter,	Hall,	Powell,
Burwell,	Hamilton,	Price of Bartow,
Butt,	Hardeman,	Price of Oconee,
Calbeck,	Harris,	Reid of Macon,
Callaway,	Haywood,	Reid of Putnam,
Candler,	Heard,	Reid of Wilcox,
Cannon,	Holder,	Rogers,
Chamlee,	Howard,	Ryals,
Clifton,	Hubbard,	Shaw,
Collum,	Huff,	Slade,
Cook of Chat'hoochee,	Hullender,	Slater,
Cooke of Thomas,	Johnson of Jasper,	Smith of Campbell,
Covington,	Johnson of Jeff Davis,	Stephens,
Couch,	Johnson of Towns,	Stewart,
Cowan,	Jones of Meriwether,	Strickland,
Crawford,	Jones of Mitchell,	Swilling,
Culbreth,	Keith,	Taylor of Appling,
Daniel,	Kendrick,	Thorne,
Davis,	Lee,	Thurman,
Davison,	Lively,	Townsend,
Dean,	Lumsden,	Tracy,
Dickey,	MacFarland,	Trent,
Duggan,	McCarthy,	Tuggle,
Dykes,	McMahan,	Tyson,
Eaves,	McMullan,	Walker of Wash'ton,
Edmondson,	Massengale,	Ward,
Edwards,	Maxwell,	Watkins,
Estes,	Mays,	White of Madison,
Fagan,	Moore,	White of Screven,
Flanders,	Mundy,	Whitley,
Fowler,	Nix,	Williams,
Fraser,	Nowell,	Wilson,
Frier,	Odum,	Wootten,
Fullbright,	Orr,	Wright of Floyd,
Furr,	Parker,	Wynne,
Gibson,	Parrish,	Young,
Glenn,	Persons,	

Those not voting were Messrs.—

Ashley,	Barksdale,	Bell,
Atwater,	Barrow,	Berry,

Bowen,	Huie,	Russell,
Boyd,	Jackson,	Sheffield,
Brown of Carroll,	Kendall,	Simmons,
Clark,	Lunsford,	Smith of Calhoun,
Cook of Telfair,	Matthews,	Stubbs,
Crumbley,	McIntyre,	Sumner,
Donalson,	McMichael,	Taylor of Sumter,
Dorminy,	McWilliams,	Terrell,
Dunbar,	Martin,	Tift,
Ellison,	Mercer,	Walker of Lowndes,
Flannigan,	Morris,	Walker of Milton,
Foster,	Payton,	Warnell,
Geer,	Perry,	Wise,
Guyton,	Peterson,	Wright of Richmond,
Hill,	Rountree,	Mr. Speaker.
Hines,		

By unanimous consent, the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 134, nays 0.

The resolution having received the requisite constitutional majority was passed.

By unanimous consent the following bill was read the first time, to wit:

By Mr. Slade of Muscogee—

A bill to amend the Constitution of this State so as to define the qualifications of voters and provide for registration, etc., and for other purposes.

Ordered engrossed.

By unanimous consent the following resolution was read, to wit:

By Mr. Candler—

A resolution to make Senate resolution No. 37 a special order for this morning.

Referred to Committee on Rules.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following Senate bills to wit:

A bill to regulate the conduct of telegraph operators and train dispatchers of public carriers in this State.

Also a bill to provide for the qualification of convict warden and guard.

Also, a bill to provide for the organization of volunteer military companies to be known as "Georgia Volunteers."

The following bill, which was made the special order for this morning, was read the third time and put upon its passage, to wit:

By Mr. Holder of Jackson—

A bill to provide for the hire of the labor of certain felony convicts for a period of five years; to provide for the work of certain other felony convicts on public roads and public works and to regulate misdemeanor chaingangs and for other purposes.

After a consideration of the bill the committee arose, and through their chairman, reported progress and asked leave to sit again.

By unanimous consent the following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Butt of Fannin—

A resolution to make House bill No. 111 the special order for July 21.

Mr. Parker, chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to wit:

An Act to abolish the county court of Effingham, to dispose of the business therein, and for other purposes.

An Act to establish the city court of Springfield. in the county of Effingham.

By unanimous consent the following bills were read the first time to wit:

By Mr. Blackburn—

A bill to appropriate \$5,000 to the Soldiers Home of Georgia.

Referred to the Appropriation Committee.

By Mr. Bullard of Newton—

A bill to create a system of public schools for the town of Mansfield.

Referred to Committee on Corporations.

By Mr. Buchanan of Early—

A bill to regulate the practice of professional pianotuners.

Referred to Special Judiciary Committee.

By Mr. Davison of Greene—

A resolution for relief of J W Turner.

Referred to County and County Matters Committee.

Leave of absence was granted Messrs. Brown of Carroll, Matthews, Warnell, Burkhalter, Furr, Mays.

The hour of adjournment having arrived, the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.,

Friday, July 17, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The following resolution was read and adopted as amended, to wit:

By Mr. Candler—

A resolution to make Senate resolution No. 37 an immediate special order.

The committee proposed to amend the resolution by limiting debate to ten minutes, which amendment was adopted.

The resolution was then adopted as amended.

The following resolution, favorably reported by the Committee on Rules, was read, to wit

By Mr. Shaw—

A resolution to make House bill No. 826 a special order.

Mr. Wise proposed to amend the above resolution by striking the word "immediately," at the end of the resolution.

The resolution was adopted as amended.

Mr. Hall, chairman of the Committee on Rules, submitted the following report:

*Mr Speaker:*

I am directed by the Committee on Rules to report back to the House House resolution No. 252, making Senate resolution No. 37 an immediate special order this morning, with the recommendation that it do pass with the following amendments, to wit:

1. That debate on the Senate resolution be limited to ten minutes, at the expiration of which time the previous question shall be considered ordered.

2. That this resolution shall not displace the convict lease bill now under consideration as the special continuing order, but that consideration of said bill shall be resumed immediately after action by the House on Senate resolution No. 37.

Respectfully submitted.

Jos. H. HALL, Chairman.

Unanimous consent was granted that the House should suspend consideration of the convict bill at 12:45 o'clock and that the remainder of the session be devoted to the reading of local bills a second time.

Mr. Wright of Floyd moved that the session be extended for fifteen minutes for the purpose of granting unanimous consent, which motion prevailed.

The following resolution was read and adopted, to wit:

By Mr. Fullbright—

A resolution fixing the order of business for tomorrow's session as follows:

First—Introduction of new matter.

Second—Reports of standing committees.

Third—Reading local House bills second time.

Fourth—Reading local House bills third time.

Fifth—Reading Senate bills first time.

Sixth—Reading local Senate bills second time.

Seventh—Reading local Senate bills third time.

The following Senate resolution, which was made a special order for this time, was read and concurred in, to wit:

By Mr. Felder of 22d district—

A resolution providing for a joint committee to investigate certain charges against the Prison Commission.

On motion of Mr. Holder of Jackson the following



continuing special order, which was brought over as unfinished business from yesterday's session, was again taken up, to wit

By Mr. Holder of Jackson—

A bill providing for the disposition of convicts, and for other purposes.

The Speaker again resolved the House into a committee of the whole and Mr. Dunbar of Richmond resumed the chair.

After a further consideration of the bill, the committee arose and through its chairman reported progress and asked for leave to sit again.

By unanimous consent the following bills were read the second time, to wit

By Mr. Slade of Muscogee—

A bill to amend the Constitution so as to define the qualifications of voters, and for other purposes.

By Mr. Boyd—

A bill to amend the charter of the city of Griffin.

By Messrs. Alexander and Campbell—

A bill to authorize the city of Decatur to issue bonds for school buildings, etc.

By Messrs. Nix and Wilson—

A bill to amend the charter of the city of Norcross.

By Mr. Calbeck—

A bill to convey to G. L. Gardner a parcel of the town commons of the town of Calhoun.

By Messrs. Alexander and Candler—

A bill to authorize the city of Decatur to issue bonds so as to extend system of waterworks.

By Mr. Trent of Heard—

A bill to repeal an Act to create a new charter for the town of Franklin.

By Mr. Mays of Butts—

A bill to create a new charter for the town of Jackson.

By Mr. Blackburn—

A bill to amend an Act to create a new charter for the town of East Point.

By Mr. Peterson of Montgomery—

A bill to create a new charter for the town of Glennwood.

By Mr. Ballard of Newton—

A bill to create a system of public schools for the town of Mansfield.

By unanimous consent the following bills were read the first time, to wit:

By Mr. White of Screven—

A bill to amend an Act to create the city court of Sylvania.

Referred to General Judiciary Committee.

By Mr. Parrish—

A bill to amend an Act to reincorporate the town of Adel.

Referred to Committee on Corporations.

By Mr. Parrish—

A bill to amend an Act to reincorporate the town of Adel so as to provide for public schools.

Referred to Committee on Corporations.

By Mr. Anderson of Bulloch—

A bill to extend the time for the completion of the work on the Savannah, Statesboro & Western Railway

Referred to Committee on Railroads.

By Messrs. Blackburn & Bell—

A bill to amend an Act to repeal all laws to incorporate the city of Manchester.

Referred to Special Judiciary Committee.

By Messrs. Blackburn and Bell—

A bill to amend an Act to create a charter for the town

of College Park so as to authorize the issue of bonds for electric lights.

Referred to Special Judiciary Committee.

By Messrs. Blackburn and Bell—

A bill to amend an Act to create the charter of College Park so as to make the term of office of mayor and councilmen two years.

Referred to Special Judiciary Committee.

By Messrs. Blackburn and Bell—

A bill to appropriate \$7,500 for maintenance of State board of health.

Referred to Committee on Appropriations.

By Messrs. Chamlee, Dean and Wright of Floyd—

A bill to amend an Act to create the city court of Floyd county.

Referred to Special Judiciary Committee.

By Messrs. Blackburn and Bell—

A bill to amend an Act to create the charter of College Park so as to provide for public schools.

Referred to Special Judiciary Committee.

By Mr. Blackburn—

A resolution for the relief of Mrs. Charity Maxwell.

Referred to Committee on Pensions.

By unanimous consent the following bills were read the second time, to wit:

By Mr. Huie—

A bill to amend section 2, article 3, paragraph 1, of the Constitution.

By Messrs. Hamilton and Kendrick—

A resolution to pay a pension to Mrs. R. A. Lynn.

By Mr. Pope of Dade—

A resolution for the relief of J. R. Brock, T F Smith and others.

By Mr. Glenn of Whitfield—

A bill to amend an Act to create the city court of Dalton.

The following bill was read the first time by unanimous consent, to wit:

By Mr. Wright of Floyd—

A bill to amend an Act to prohibit the adulteration of foods, etc.

Referred to Committee on Hygiene and Sanitation.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Foster—

A resolution to make House bill No. 65 a special order.

The following Senate bill was read the first time, to wit:

By Mr. Stephens of 1st district—

A bill to provide for organization, maintenance, etc., of volunteer military companies.

Referred to Committee on Military Affairs.

The following Senate bills were read the second time, to wit:

By Mr. Crittenden of 11th district—

A bill to amend the charter of the town of Shellman.

By Mr. Brantley of 16th district—

A bill to amend an Act to create the city court of Dublin.

The following bill was taken up and the Senate amendment concurred in, to wit:

By Mr. McMahan—

A bill to appropriate \$15,000 for maintenance of State Normal School.

The Senate proposed to amend by striking out of the proviso at end of section 1, beginning with word "Provided," and extending to end of section.

By unanimous consent House bill No. 166 was made the special order for Monday, July 20, immediately after confirmation of the Journal for the purpose of agreeing to the Senate amendments.

Mr. Blackburn, chairman of Committee on Special Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on Special Judiciary having had under consideration the following House bills instructed me, as their chairman, to report same back to the House with the recommendation that same do pass, to wit:

A bill to create school system for Mansfield.

A bill to create the city court of Homerville.

A bill to create new charter for town of Glennwood.

A bill to amend Act providing new charter for East Point.

A bill to repeal city court of Jeffersonville.

Also, the following Senate bill with the recommendation that same do pass as amended, to wit:

A bill to amend Act establishing the city court of Dublin.

Also the following House bill with the recommendation that same do not pass, to wit:

A bill to provide that persons testifying in certain cases be immuned from prosecution.

Respectfully submitted.

R. B. BLACKBURN, Chairman.

Mr. Martin, chairman of Committee on General Agriculture, submitted the following report:

*Mr. Speaker·*

Your Committee on General Agriculture having had under consideration the following House bill, instructed me, as their chairman, to report same back to the House with the recommendation that same do pass to wit:

A bill to establish the legal standard of one bushel of peaches.

Also, the following House bill with the recommendation that same do pass as amended, to wit:

A bill to prohibit vicious dogs from running at large.

Respectfully submitted.

L. H. O. MARTIN, Chairman.

Mr. Wright of Richmond, chairman of the Committee on General Judiciary, submitted the following report:

*Mr. Speaker·*

Your Committee on General Judiciary having had under consideration the following House bill, instructed me, as their chairman, to report same back to the House with the recommendation that same do not pass, to wit:

A bill to amend section 5404, volume 2, Code, 1895, relative to constable fees.

Also the following House bill with the recommendation that same do pass, to wit:



A bill to amend section 1790 of volume 1 of the Code of 1895, so as to change the term of office of the Commissioner of Agriculture.

Also, the following Senate bill with the recommendation that same do pass, to wit:

A bill to authorize judges of the city court in certain counties to appoint special bailiffs.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.

Mr. Russell, chairman of the Committee on Privileges and Elections, submitted the following reports:

ATLANTA, GA.

July 16, 1908.

*Mr Speaker:*

Your Committee on Privileges and Elections having had under consideration Senate bill No. 22, instruct me as their chairman to report the same back with the recommendation that it do pass.

CHAS. R. RUSSELL, Chairman.

Your Committee on Privileges and Elections having had under consideration Senate bill No. 184, instruct me as their chairman to report the same back with recommendation that it do pass by substitute.

CHAS. R. RUSSELL, Chairman.

Mr. Heard, of Dooly, chairman of the Committee on Banks and Banking, submitted the following report:

*Mr. Speaker:*

Your Committee on Banks and Banking have had under consideration House bills Nos. 942, 945, 1002 and have instructed me as their chairman to report same back with the recommendation that they do pass.

HEARD, Chairman.

The Speaker appointed the following committee to investigate certain charges against the Railroad Commission: Messrs. Candler, Wise, Adams of Chatham, Ryals of Bibb, Shaw of Clay.

Mr. Shaw of Clay tendered his resignation as one of the committee to investigate the Prison Commission which was accepted, to wit:

*Hon. John M Slaton, Speaker of the House.*

DEAR SIR: On account of my general physical condition I would not be able to perform the duties required by a member of the investigation committee, therefore I owe it to myself, the Prison Commission and to Georgia to herewith hand you my resignation.

Respectfully,

EMMETT R. SHAW.

The Speaker then appointed on said committee Mr. McMullan of Hart, vice Mr. Shaw of Clay, resigned.

Mr. Foster of Cobb submitted the following report:

*Mr. Speaker:*

Your Committee on Pensions have had under consideration the following House resolutions and instruct me as their chairman to report same back with the recommendation that they do pass:

House resolutions Nos. 196, 193, 209, 245, 197, 183, 184.

Also the following with the recommendation that they do not pass:

House resolutions Nos. 231, 48, 131, 332, 98, 101.

Respectfully submitted.

J. Z. FOSTER, Chairman.

Leave of absence was granted Messrs. Walker of Washington, Frier of Ware, Adkins of Dooly.

The Speaker then announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.,

Saturday, July 18, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent, the call of the roll was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

The Clerk read the order of business fixed for today's session on yesterday.

The first order of business being the introduction of new bills, the following bills were introduced and read the first time, to wit:

By Mr. Matthews of Laurens—

A bill to incorporate the town of Cedar Grove.

Referred to Committee on Corporations.

By Mr. McMahan of Clarke—

A bill to amend the charter of the city of Athens.

Referred to Committee on Corporations.

By Mr. Matthews of Laurens—

A bill to incorporate the town of Hudsonville.

Referred to Committee on Corporations.

By Messrs. Alexander and Candler—

A bill to incorporate the town of East Lake.

Referred to Committee on Corporations.

Mr. Barrow, chairman of the Committee on Military Affairs, submitted the following report:

*Mr Speaker·*

Your Committee on Military Affairs having under consideration Senate bill No. 196 begs to report that they have considered the same and recommend that the same do pass.

DAVID C. BARROW, Chairman.

Mr. Anderson, vice-chairman of Committee on General Judiciary, submitted the following report:

*Mr Speaker·*

Your Committee on General Judiciary having under consideration the following House bills instructed me, as their vice-chairman, to report same back to the House with the recommendation that same do pass, to wit:

A bill to amend section 1496, volume 1, Code 1895, relative to pharmacists.

A bill to amend section 388 of Code 1895, relative to wife being competent witness.

A bill to change time of holding Troup superior court.

A bill to amend Act creating city court of Sylvania.

Also, the following House bills with the recommendation that same do pass by substitute, to wit:

A bill to provide for codification of laws of this State.

A bill to amend section 629, volume 3, relative to selling votes.

Also, the following House bills with the recommendation that same do not pass, to wit:

A bill to authorize the Governor to grant reprieves, pardons, etc.

A bill to amend section 882, Code 1895, relative to issuing warrants.

Also, the following Senate bill with the recommendation that same do pass, to wit:

A bill to regulate the compensation of judges of the superior court for services rendered outside of their own circuits.

Respectfully submitted.

J. J. E. ANDERSON, Vice-Chairman.

The following bills were read the third time and put upon their passage, to wit:

By Mr. Odum—

A bill to create a board of county commissioners for the county of Baker.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Simmons of Gilmer—

A bill to create a new charter for the town of Ellijay.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Haywood of McDuffie—

A bill to create a board of commissioners of roads and revenues for the county of McDuffie.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Flanders of Johnson—

A bill to create a board of commissioners for Johnson county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Odum of Baker—

A bill to repeal an Act to create a board of commissioners of roads and revenues for Baker county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Strickland of Pike—

A bill to incorporate the town of Williamson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Trent of Heard—

A bill to incorporate the town of Franklin.



The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Trent of Heard—

A bill to repeal an Act to create a new charter for the town of Franklin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Peterson of Montgomery—

A bill to incorporate the town of Orland.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Simmons of Gilmer—

A bill to repeal an Act to incorporate the town of Ellijay.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Alexander and Candler—

A bill to authorize the town of Decatur to issue bonds for school purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Alexander and Candler—

A bill to authorize Decatur to issue bonds for water-works.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr Burwell of Hancock—

A bill to repeal an Act to incorporate the town of Culverton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Brown & Watkins—

A bill to create the office of commissioner of roads and revenues for Carroll county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Peterson of Montgomery—

A bill to create a new charter for the town of Glennwood.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ballard of Newton—

A bill to create a system of public schools for Glennwood.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 97, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Blackburn of Fulton—

A bill to amend an Act to create a new charter for the town of East Point.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 102, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Calbeck of Gordon—

A bill to authorize the town of Calhoun to deed a portion of the town commons to G. L. Gardner.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Berry of Union—

A bill to incorporate the town of Blairsville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Mays of Butts—

A bill to create a new charter for the city of Jackson.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Nix and Wilson—

A bill to amend the charter of the city of Norcross.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Boyd of Spalding—

A bill to amend the charter of the city of Griffin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Swilling of Franklin—

A bill to create a system of public schools for the city of Lavonia.

The committee proposed to amend by striking section 11 and substituting the following: "Be it further enacted, That the county school board of education shall pay over to the board of education of Lavonia the State school fund as apportioned by the said county board of education."

Also, to amend by striking section 13 and numbering remaining section accordingly.

The amendments were adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

The following bill was read the second time and recommitted, to wit:

By Messrs. Slaton, Blackburn and Bell—

A bill to amend an Act to create a new charter for city of Atlanta.

The following Senate bills were read the first time, to wit:

By Mr. Maddox of 4th district—

A bill to regulate the conduct of telegraph operators and train dispatchers.

Referred to General Judiciary Committee.

By Mr. Wilkes of 7th district—

A bill to amend an Act to create the city court of Moultrie.

Referred to Special Judiciary Committee.

By Mr. Maddox of 4th district—

A bill to provide qualifications of convict wardens and guards, etc.

Referred to Committee on Penitentiary.

Leave of absence was granted Mr. Swilling of Franklin.

Mr. Trent of Heard moved to adjourn, which motion prevailed and the Speaker announced the House adjourned until 10 o'clock Monday morning.

ATLANTA, GA.,

Monday, July 20, 1908.

The House met pursuant to adjournment at 10 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called, and the following members answered to their names:

Adams of Chatham,	Cannon,	Flannigan,
Adams of Elbert,	Chamlee,	Foster,
Adams of Wilkinson,	Clark,	Fowler,
Adkins,	Clifton,	Fraser,
Alexander,	Collum,	Frier,
Allen,	Cook of Chat'hoochee,	Fullbright,
Anderson of Bulloch,	Cook of Telfair,	Furr,
Anderson of Cobb,	Cooke of Thomas,	Geer,
Arnold,	Covington,	Gibson,
Ashley,	Couch,	Glenn,
Atkinson,	Cowan,	Godley,
Austin,	Crawford,	Goode,
Ballard,	Crumbley,	Guyton,
Barksdale,	Culbreth,	Hall,
Barrett,	Daniel,	Hamilton,
Barrow,	Davis,	Hardeman,
Bell,	Davison,	Harris,
Berry,	Dean,	Haywood,
Blackburn,	Dickey,	Heard,
Bond,	Donalson,	Hill,
Bowen,	Dorminy,	Hines,
Boyd,	Dunbar,	Holder,
Brown of Carroll,	Duggan,	Howard,
Brown of Oglethorpe,	Dykes,	Hubbard,
Buchannon,	Eaves,	Huff,
Burkhalter,	Edmondson,	Huie,
Burwell,	Edwards,	Hullender,
Butt,	Ellison,	Jackson,
Calbeck,	Estes,	Johnson of Jasper,
Callaway,	Fagan,	Johnson of Jeff Davis,
Candler,	Flanders,	Johnson of Towns,



Jones of Meriwether,	Parrish,	Taylor of Appling,
Jones of Mitchell,	Payton,	Taylor of Sumter,
Keith,	Perry,	Terrell,
Kendall,	Persons,	Thorne,
Kendrick,	Peterson,	Thurman,
Lee,	Pope of Brooks,	Tift,
Lively,	Pope of Dade,	Townsend,
Lumsden,	Powell,	Tracy,
Lunsford,	Price of Bartow,	Trent,
Matthews,	Price of Oconee,	Tuggle,
MacFarland,	Reid of Macon,	Tyson,
McCarthy,	Reid of Putnam,	Walker of Lowndes,
McIntyre,	Reid of Wilcox,	Walker of Milton,
McMahan,	Rogers,	Walker of Wash'ton,
McMichael,	Rountree,	Ward,
McMullan,	Russell,	Warnell,
McWilliams,	Ryals,	Watkins,
Martin,	Shaw,	White of Madison,
Massengale,	Sheffield,	White of Screven,
Maxwell,	Simmons,	Whitley,
Mays,	Slade,	Williams,
Mercer,	Slater,	Wilson,
Moore,	Smith of Calhoun,	Wise,
Morris,	Smith of Campbell,	Wootten,
Mundy,	Stephens,	Wright of Floyd,
Nix,	Stewart,	Wright of Richmond,
Nowell,	Strickland,	Wynne,
Odum,	Stubbs,	Young,
Orr,	Sumner,	Mr. Speaker.
Parker,	Swilling,	

Those absent were Messrs.—

Atwater,

By unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with.

By unanimous consent the following bill was taken up, and the Senate amendments concurred in, to wit:

By Mr. Dunbar of Richmond—

A bill to provide for confirming and validating all county and municipal bonds issued since 1877.

The Senate proposed to amend by numbering the last ten sections appropriately; also to amend section 5 in line 17, by striking the words "or refusing to confirm and validate said bonds"; also

To amend section 5, line 14, by striking the word "if" and substituting in lieu thereof the words, "any party thereto"; also,

To amend section 5, line 2, by inserting after the word "order" the words "or such further time as he may fix."

By unanimous consent the following bills were read first time, to wit:

By Mr. McMullan—

A bill to create a board of commissioners of roads and revenues for the county of Hart.

Referred to the Committee on Corporations.

By Mr. McMullan—

A bill to abolish the present board of commissioners of roads and revenues for the county of Hart.

Referred to the Committee on Corporations.

By unanimous consent the following bills were read the second time, to wit:

By Mr. Odum—

A bill to amend an Act to create the city court of Newton.

By Mr. Shaw—

A bill to require hotels to furnish mosquito bars.

By Messrs. Donalson and Boyd—

A bill to amend section 5484 of the Code of 1895, relative to application for new trials.

By unanimous consent the following bills were read the third time, to wit:

By Mr. Thurman—

A bill to repeal an Act to repeal an Act to create the county court of Walker county.

The report of the committee which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 94, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Flanders—

A bill to create the city court of Wrightsville in Johnson county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion of Mr. Holder of Jackson, the following

special order was taken up for further consideration, to wit:

By Mr. Holder of Jackson—

A bill to provide for the hire of certain felony convicts for a period of five years, and to provide for the working of certain other felony convicts on the public roads and public works, etc., and for other purposes.

The Speaker again resolved the House into a committee of the whole, and Mr. Dunbar of Richmond, resumed the chair.

After a consideration of the bill the committee arose, and through its chairman reported progress, and asked leave to sit again.

ATLANTA, GA., July 20, 1908.

The following message was received from his Excellency the Governor, through his Secretary, Mr. Carter:

*Mr Speaker*

I am directed by his Excellency the Governor, to deliver to the House of Representatives a communication in writing.

On motion of Mr. Hall of Bibb, the Governor's message was read.

Mr. Hall of Bibb, moved that the Governor's message be referred to a special committee of five members of the House, whose duty it shall be to look into the charges contained therein and report forthwith to the House its findings.

Mr. Candler of DeKalb moved as a substitute that the message be committed to the General Judiciary Committee, which was adopted.

The motion of Mr. Hill was then adopted by substitute.

The business for which the session was extended was then taken up and the following bills were read the first time, to wit:

By Mr. Brown of Carroll—

A bill to amend an Act to provide for the creation of local tax district schools, as relates to Wesley Chapel school.

Referred to Committee on Corporations.

By Mr. Alexander—

A bill to amend section 2334 of the Civil Code relative to venue of suits against railroad corporations.

Referred to General Judiciary Committee.

By Messrs. Ward, Townsend, Johnson of Jeff Davis, and Bowen of Tift, and Parrish of Berrien—

A bill to create a new judicial circuit of the superior court.

Referred to Special Judiciary Committee.

By Messrs. Hall, Fowler and Ryals of Bibb—

A bill to authorize Bibb county to pay Jno. P. Ross certain fees.

Referred to Counties and County Matters Committee.

By Mr. Slaton of Fulton—

A resolution memorializing Congress in regard to a canal from the Tennessee to the Ocmulgee river

Read and adopted.

By Mr. McCarthy—

A bill to create a county police court in the county of Chatham.

Referred to Counties and County Matters Committee.

By Mr. Perry—

A bill to amend the charter of the city of Gainesville.

Referred to Committee on Corporations.

By Messrs. Jones and Keith of Meriwether—

A bill to incorporate the town of Primrose.

Referred to Committee on Corporations.

By Messrs. Davis and Fagan of Houston—

A bill to abolish the county court of Houston county.

Referred to Special Judiciary Committee.

By Messrs. Davis and Fagan—

A bill to amend an Act to incorporate the town of Perry.

Referred to Special Judiciary Committee.

By Mr. Maxwell—

A bill to provide for the marking out and establishment of county lines.

Referred to Special Judiciary Committee.

By Messrs. Davis and Fagan—

A bill to create the city court of Houston.

Referred to Special Judiciary Committee.

By Messrs. Ward, Townsend, Bowen, Parrish and Johnson of Jeff Davis—

A bill to fix the time of holding the superior courts in counties composing the Alapaha circuit.

Referred to Special Judiciary Committee.

By Mr. Blackburn—

A resolution for the relief of Mrs. Lottie C. Coker.

Referred to Committee on Pensions.

By Mr. Blackburn—

A resolution for the relief of Lucy M. Hardin.

Referred to Committee on Pensions.

By Mr. Blackburn—

A resolution for the relief of Mrs. N. W. Hightower.

Referred to Committee on Pensions.

By Messrs. Holder and Blackburn—

A resolution for the relief of the heirs of Sherman J Sims.

Referred to Committee on Appropriations.

By Mr. Hall of Bibb—

A bill relative to non-discrimination between ships by corporations, etc., owning docks, etc.

Referred to General Judiciary Committee.

The following resolution was read and referred to Committee on Rules, to wit:

By Mr. McMichael—

A resolution to make House bill No. 380 a special order.

The following House bills were read the second time, to wit:

By Mr. Slade—

A bill to amend sections 220 and 221 of the Criminal Code.

By Mr. Slade—

A bill to enable county commissioners to appoint rural police.

By Mr. White of Madison—

A bill to amend section 982, volume 1, of the Code so as to make the town of Comer a State depository.



By Messrs. Young and Tuggle—

A bill to change the time of holding the fall and spring terms of the superior court of Troup county.

By Mr. Maxwell—

A bill to repeal an Act to create the city court of Jeffersonville.

By Mr. Bowen—

A bill to change the time of holding the superior court of Tift county

By Messrs. Nix and Wilson—

A bill to amend an Act which provides for four terms a year of the superior court of Gwinnett county.

By Mr. Johnson of Jasper—

A bill to amend an Act to create the city court of Monticello.

By Mr. Blackburn—

A bill to provide for the appointment of two special bailiffs in certain counties.

By Mr. Couch of Coweta—

A bill to amend section 982, volume 1, of the Code so as to make Senoia a State depository.

By Mr. Buchanan—

A bill to provide for an examination into the affairs of the dispensary in the city of Blakely.

By Mr. Guyton—

A bill to amend section 982, volume 1, of the Code so as to make Guyton a State depository.

By Mr. Hardeman—

A bill to amend section 2502, volume 3, of the Code.

By Mr. McCarthy—

A bill to allow common carriers to grant passes to former employees.

By Mr. Bowen—

A bill to amend an Act entitled an Act to amend an Act to create the city court of Tifton.

By Mr. Wilson—

A bill to amend an Act to create the city court of Buford.

By Mr. Hall—

A bill to provide for the codification of the laws of Georgia.

By Mr. Hall—

A bill to amend article 7, section 6, of the Constitution of Georgia.

By Mr. Hall—

A bill to amend article 3, section 9, of the Constitution.

By Mr. Edwards—

A bill to amend the Constitution so as to enlarge the powers of justices of the peace.

By Messrs. Burkhalter and Warnell—

A bill to prohibit railroad corporations from selling tickets at reduced rates on Sunday.

By Mr. Calbeck—

A bill to amend article 9, section 4147 of the Civil Code.

By Mr. Fowler—

A bill to amend section 1496, volume 1, of the Code.

By Mr. Geer—

A bill to amend section 982, volume 1, of the Code so as to make the city of Colquitt a State depository.

By Mr. Reid—

A bill to amend section 61, volume 1, of the Code.

By Mr. Barrett—

A bill to amend an Act to amend an Act providing for local tax district schools.

By Mr. Adams of Chatham—

A bill authorizing judges of city courts in certain counties to appoint special bailiffs.

By Mr. Tyson—

A bill to fix the age for road duty in the State of Georgia.

By Messrs. Moore and Powell—

A bill to exempt farm products from taxation for twelve months from the time harvested.

By Mr. Tuggle—

A bill to amend paragraphs 2 and 3 of section 1, article 5 of the Constitution.

By Mr. Tuggle—

A bill to amend paragraph 1, section 2, article 8 of the Constitution.

By Mr. Tuggle—

A bill to amend paragraph 1, section 2, article 11 of the Constitution.

By Mr. Tuggle—

A bill to amend section 1790, volume 1, of the Code.

By Mr. Gibson—

A bill to change the time of holding the superior court of Glascock county.

By Mr. McIntyre—

A bill to amend paragraph 1, section 2, article 7, of the Constitution.

By Mr. Terrell—

A bill to amend section 388 of the Penal Code.

By Mr. Trent—

A bill to protect persons and property from rabid dogs, etc.

By Messrs. Moore, Holder and Flannigan—

A bill to define who are subject to road duty.

By Mr. Godley—

A bill to create the city court of St. Marys.

By Mr. Godley—

A bill to repeal an Act to create the county court of Camden county.

By Mr. Deen—

A bill to establish the weight of one bushel of peaches.

By Messrs. Orr and Couch—

A bill to amend section 526, volume 1, of the Code.

By Mr. Persons of Monroe—

A bill to amend section 2760, volume 2, of the Code.

By Mr. Burwell—

A bill to amend sub-section 1, section 629, volume 3, of the Code.

By Messrs. Price, Barksdale, Holder, Butt and Payton—

By Mr. Mundy—

A bill to make betting on elections and primaries unlawful.

By Mr. McMichael—

A bill to amend an Act so as to pay certain county school commissioners a salary.

By Messrs. Couch and Orr—

A bill to amend an Act to amend an Act to provide for creation of local tax district schools.

By Mr. Townsend—

A bill to create the city court of Homerville.

By Mr. Wise —

A bill to amend section 982, volume 1, of the Code so as to make Fayetteville a State depository.

By Mr. Boyd—

A bill to regulate the running of automobiles, etc.

By Mr. White of Screven—

A bill to amend an Act to create the city court of Sylvania.

By Mr. Tracy—

A resolution to pay pension to one Mrs. E. J. Coker.

By Messrs. Blackburn and Bell—

A resolution to pay State bond No. 188, issued February 1, 1849, for \$500.

By Mr Goode—

A resolution to pay pension due Mrs. Mary Blackstock.

By Mr. Ballard—

A resolution to pay the pension due Thos. H. Greer.

By Mr. Calbeck—

A resolution to pay pension due Mrs. Mary McDougal.

By Mr. Taylor of Sumter—

A resolution to pay pension to the widow of Frank Johnson.

By Mr. Blackburn—

A resolution for the relief of Mrs. Tallulah Towns.

By Mr Rountree of Emanuel—

A resolution to pay pension due Mrs. Lydia Ann Towns.

By Mr. Payton of Worth—

A resolution to pay Jno. P Edwards a pension.

The order of business having been exhausted the Speaker announced the House adjourned until 9 o'clock to-morrow morning.

## ATLANTA, GA.,

Tuesday, July 21, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called, and the following members answered to their names:

Adams of Chatham,	Candler,	Fagan,
Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Chamlee,	Flannigan,
Adkins,	Clark,	Foster,
Alexander,	Clifton,	Fowler,
Allen,	Collum,	Fraser,
Anderson of Bulloch,	Cook of Chat'hoochee,	Frier,
Anderson of Cobb,	Cook of Telfair,	Fullbright,
Arnold,	Cooke of Thomas,	Furr,
Ashley,	Covington,	Geer,
Atkinson,	Couch,	Gibson,
Austin,	Cowan,	Glenn,
Ballard,	Crawford,	Godley,
Barksdale,	Crumbley,	Goode,
Barrett,	Culbreth,	Guyton,
Barrow,	Daniel,	Hall,
Bell,	Davis,	Hamilton,
Berry,	Davison,	Hardeman,
Blackburn,	Dean,	Harris,
Bond,	Dickey,	Haywood,
Bowen,	Donalson,	Heard,
Boyd,	Dorminy,	Hill,
Brown of Carroll,	Dunbar,	Hines,
Brown of Oglethorpe,	Duggan,	Holder,
Buchannon,	Dykes,	Howard,
Burkhalter,	Eaves,	Hubbard,
Burwell,	Edmondson,	Huff,
Butt,	Edwards,	Huie,
Calbeck,	Ellison,	Hullender,
Callaway,	Estes,	Jackson,



Johnson of Jasper,	Orr,	Swilling,
Johnson of Jeff Davis,	Parker,	Taylor of Appling,
Johnson of Towns,	Parrish,	Taylor of Sumter,
Jones of Meriwether,	Payton,	Terrell,
Jones of Mitchell,	Perry,	Thorne,
Keith,	Persons,	Thurman,
Kendall,	Peterson,	Tift,
Kendrick,	Pope of Brooks,	Townsend,
Lee,	Pope of Dade,	Tracy,
Lively,	Powell,	Trent,
Lumsden,	Price of Bartow,	Tuggle,
Lunsford,	Price of Oconee,	Tyson,
Matthews,	Reid of Macon,	Walker of Lowndes,
MacFarland,	Reid of Putnam,	Walker of Milton,
McCarthy,	Reid of Wilcox,	Walker of Wash'ton,
McIntyre,	Rogers,	Ward,
McMahan,	Rountree,	Warnell,
McMichael,	Russell,	Watkins,
McMullan,	Ryals,	White of Madison,
McWilliams,	Shaw,	White of Screven,
Martin,	Sheffield,	Whitley,
Massengale,	Simmons,	Williams,
Maxwell,	Slade,	Wilson,
Mays,	Slater,	Wise,
Mercer,	Smith of Calhoun,	Wootten,
Moore,	Smith of Campbell,	Wright of Floyd,
Morris,	Stephens,	Wright of Richmond,
Mundy,	Stewart,	Wynne,
Nix,	Strickland,	Young,
Nowell,	Stubbs,	Mr. Speaker.
Odum,	Sumner,	

Those absent were Messrs.—

**Atwater,**

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bills were read the third time, and put upon their passage, to wit:

By Mr. Johnson of Jasper—

A bill to amend an Act to create the city court of Monticello.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 97, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Fraser of Liberty—

A bill to amend section 982, volume 1, of the Code so as to add the town of Ludowici to the list of State depositories.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Odum—

A bill to amend an Act to create the city court of the city of Newton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 103, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Glenn of Whitfield—

A bill to amend an Act to create the city court of Dalton, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Blackburn of Fulton—

A bill to provide for the appointment of two special bailiffs by superior court judges in certain counties.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wilson of Gwinnett—

A bill to amend Act to create the city court of Buford.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Young and Tuggle—

A bill to change and fix the time of holding the fall term of the superior court of Troup county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion of the author 300 copies of House bill No. 562 were ordered printed, which bill relates to the redistricting of the senatorial districts of this State.

Mr. Holder proposed to amend by having copies of the map of Georgia showing how the counties will appear after the redistricting attached to bill No. 562 which was adopted.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to make certain appropriations to the trustees of the State University for the use of the State Technological School.

Also a bill to appropriate ten thousand dollars to the University of Georgia for repairs on the building known as the "Old College."

The Senate has passed, by the requisite constitutional majority, the following House resolution, to wit:

A resolution providing for relief from State tax on four dispensaries in the county of Terrell for the year 1907.

The President of the Senate has appointed the following as the committee on part of the Senate to investigate the convict lease system of the State of Georgia:

Senators Felder of 22d district, Brock of 44th district, and Hays of 13th district.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, as amended, by the requisite constitutional majority, the following House bills, to wit:

A bill to repeal an Act to establish the city court of the county of Miller

Also a bill to establish the city court in and for the county of Miller.

Also a bill to establish a new charter for the city of Eatonton.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the Senate, to wit:

A bill to prevent taking fish from the Brasstown Creek in Towns and Union counties.

Also a bill to incorporate the town of Kingwood, in the county of Colquitt.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following House bills, to wit:

A bill to repeal an Act incorporating the town of Fairmount, in the county of Gordon.

Also a bill to amend the charter of the town of Center, in the county of Jackson.

Also a bill to incorporate the town of Woodland, in the county of Talbot.

Also a bill to incorporate the town of Riverdale, in the county of Clayton.

Also a bill to amend the charter of the town of Cordele, in the county of Crisp.

Also a bill to amend the charter of the town of Cordele, in the county of Crisp.

Also a bill to amend the charter of the town of Cordele, in the county of Crisp.

Also a bill to establish a system of public schools in the city of Hartwell, in the county of Hart.

Also a bill to amend an Act to create a board of commissioners of roads and revenues for the county of Dooly.

Also a bill to amend the charter of the city of Douglas.

Also a bill to create a board of commissioners of roads and revenues for Glascock county.

Also a bill to authorize the road commissioners of Cherokee county to order an election on the issue of bonds.

Also a bill to amend the charter of Midville.

Also a bill to incorporate the city of Warrenton in lieu of the town of Warrenton.

Also a bill to amend an Act to create the Haralson school district.

Also a bill to amend an Act creating a board of commissioners of Monroe county.

Also a bill to repeal an Act making the public roads of Terrell county twenty feet wide.

Also a bill to amend the charter of the city of Vienna.

By unanimous consent the following bill was read the second time and recommitted, to wit:

By Mr. Perry of Hall—

A bill to amend the charter of the city of Gainesville.

By unanimous consent the following bill was read the first time, to wit:

By Mr. Hardeman of Jefferson—

A bill to amend the registration laws of the State of Georgia.

Referred to the General Judiciary Committee.

Mr. Donalson moved that the session be extended for ten minutes for the purpose of taking up the bill providing for the granting of motions for new trial in vacation, which motion prevailed.

The following continuing special order was again taken up on motion of Mr. Holder of Jackson, to wit:

By Mr. Holder of Jackson—

A bill to hire the labor of certain felony convicts for a period of five years, and to provide for working certain other convicts on the public roads.

The Speaker resolved the House into a committee of the whole, and Mr. Dunbar of Richmond resumed the chair.

After a consideration of the bill the committee arose, and through their chairman reported progress, and asked leave to sit again.

By unanimous consent the following resolution was read, to wit:

By Mr. Butt of Fannin—

A resolution instructing the Attorney-General to take the decree enjoining the Tennessee Copper Company from injuring growing crops, etc., of this State.

Referred to Counties and County Matters Committee.



By unanimous consent the following bills were read the first time, to wit:

By Mr. Eaves of Haralson—

A bill to incorporate the Waco school district.

Referred to Counties and County Matters Committee.

By Messrs. Heard and Adkins—

A bill to authorize the mayor and council of the town of Byromville to issue bonds.

Referred to Committee on Corporations.

By Messrs. MacFarland and Barrow—

A resolution to pay pension due Archibald McKinley.

Referred to Committee on Pensions.

By Mr. Ellison of Harris—

A bill to fix the compensation of the treasurer of Harris county.

Referred to Committee on Corporations.

By unanimous consent the following bill was taken up, and the Senate amendment concurred in, to wit:

By Mr. Hines of Baldwin—

A bill to appropriate \$15,000 to repair buildings on the campus of the G. M. I. College at Milledgeville.

The Senate proposed to amend by striking out the proviso at the end of section 1.

House bill No. 19 was recommitted to the General Judiciary Committee upon the request of the author.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Messrs. Fraser and Barrett—

A resolution to make Senate bill No. 37 the special order for July 28.

By Mr. Hall of Bibb—

A resolution to make House bill No. 22 to increase the pay of members of General Assembly, and police patrol bill and the disfranchisement bill special orders.

Mr. Anderson, vice-chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary having had under consideration the following bills of the House, instructed me, as their vice-chairman, to report same back to the House with the recommendation that same do pass, to wit:

A bill to require librarian of the State to furnish the University of Georgia one copy of every publication issued by the State.

A bill to amend section 1110, Code 1895, relative to costs of the justices of the peace.

Also the following bill of the House with the recommendation that the same do pass, to wit:

A bill to authorize corporations and individuals to construct dams across non-navigable streams.

Also the following bill of the House with the recommendation that same do pass as amended, to wit:

A bill to regulate the business of mutual, cooperative and assessment fire insurance.

Also the following bill of the House with the recommendation that same do not pass, to wit:

A bill to make valid and binding all contracts of minors over fifteen years of age in certain instances.

Also the following bill of the House with the recommendation that same be read the second time and be recommitted, to wit:

A bill to relate to the liability of common carriers by railroads to their employees in certain cases.

Also I am instructed to request that the following bill of the House be recommitted for the further consideration by your committee, to wit:

A bill to codify the laws of the State of Georgia.

Respectfully submitted,

J J. E. ANDERSON, Vice-Chairman.

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters has

had under consideration the following, and as its chairman I am instructed to report the same back to the House with a recommendation that—

House resolution No. 220 do pass.

House bill No. 974 do pass.

House bill No. 978 do not pass.

House bill No. 998 do pass.

This July 21, 1908.

Respectfully submitted.

ERLE M. DONALSON.

Mr. McMahan, chairman of the Committee on the University and its Branches, submitted the following report:

*Mr. Speaker:*

Your Committee on University and Branches has had under consideration House bill No. 317, and instruct me as their chairman to report the same back with the recommendation that the same do pass by substitute.

Respectfully submitted.

J. J. C. McMAHAN, Chairman.

Upon request of the author, House bill No. 830 was recommitted to the Special Judiciary Committee.

By unanimous consent, the following bill was read the second time and recommitted, to wit:

By Mr. Smith of Campbell—

A bill relating to liability of common carriers to employees in certain cases.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. Buchannon of Early—

A bill to provide for an examination into the affairs of the Blakely dispensary.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 0.

The bill having received the requisite constitutional majority was passed.

The hour of adjournment having arrived, the special order of business for which the session was extended, was taken up, to wit:

By Mr. Donalson of Decatur—

A bill to provide for motions for new trials during vacation.

The ten minutes for the consideration of the above bill having expired, the same was carried over as a special order for to-morrow's session by unanimous consent.

The Speaker then announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.,

Wednesday, July 22, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

On motion of Mr. Wright of Floyd, the call of the roll and the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following Senate bill was read the third time and put upon its passage, to wit:

By Mr. Brantley of 16th district—

A bill to amend an Act to create the city court of Dublin.

The committee proposed the following amendments which were adopted, to wit: To amend by striking "1,200," in section 1, and substituting "\$1,800." To amend by adding the following to section 1: "Provided, however, that nothing herein contained shall operate or be construed to effect the title of the judge already appointed for the four year term beginning December 6, 1908, and confirmed by the Senate, by said appointment shall be and remain of force."

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

ATLANTA, GA., July 22, 1908.

The following message was received from his Excellency the Governor, through his secretary, Mr. Carter:

*Mr Speaker:*

I am directed by his Excellency the Governor to deliver to the House of Representatives a communication in writing:

STATE OF GEORGIA,

EXECUTIVE DEPARTMENT,

ATLANTA, GA., July 22, 1908.

*To the Senate and House of Representatives:*

In my message of June 24th I brought to your attention the fact that a report had been prepared by Hon. Hooper Alexander covering the claim of the Southern Railway to interests in the Western & Atlantic terminals at Chattanooga, and also upon other property rights of the State connected with that road.

Permit me now to call your attention again to this report, copies of which have just been received from the printer and are being furnished for your use. The report contains much information not heretofore generally known, involving important interests of the State.

I lay the facts before you to facilitate such action, if any, as you may deem advisable.

HOKE SMITH, Governor.

## REPORT

ATLANTA, GA., June 15, 1908.

*To his Excellency Governor Hoke Smith, and Hon. John C. Hart, Attorney-General, Atlanta, Ga.*

DEAR SIR: Shortly after the General Assembly adjourned in 1907, Mr. W. A. Henderson, of Knoxville, representing the Southern Railway Company verbally made known to the Governor that his company claimed an interest in the Western & Atlantic Passenger Depot at Chattanooga, and that, being no longer in the use and enjoyment thereof, it would expect to be reimbursed for its expenditures thereon. Thereafter Mr. Henderson addressed a letter to the Governor on October 16, 1907, which, with the copy deed in said letter enclosed and referred to, is here set out.

WASHINGTON, D. C., October 16, 1907.

*Hon. Hoke Smith, Governor of Georgia, Atlanta, Ga.*

DEAR SIR You told me to again call your attention to the Chattanooga union depot litigation within about two weeks after I last saw you, which matter you and General Hart have under consideration, and in which I hope you may have reached some fair conclusion.

I have heretofore given you a digest of the voluminous record of the litigation concerning that matter, but beg to enclose herewith a copy of the title which the Nashville & Chattanooga road has in the premises. You will note that it is of the same general character as our title, and in the covenants our title is mentioned and recog-



nized. It might be well enough for you to place this with the other papers.

I will hold myself in readiness to go to Atlanta at any time you would want another personal conference.

Very truly yours,

W. A. HENDERSON,  
General Solicitor.

The following document, purporting to be a deed from the Governor of Georgia in 1860 to the Nashville & Chattanooga Railroad, accompanied the letter of Mr. Henderson:

DEED, J. E. BROWN, GOVERNOR, TO N. & C. R. R.  
COMPANY

OFFICE OF THE W. & A. RAILROAD,

CHATTANOOGA, TENN., August 17, 1860.

Whereas, on the 13th day of November, 1855, V. K. Stevenson, as president of the Nashville & Chattanooga Railroad, and James F. Cooper, as superintendent of the Western & Atlantic Railroad, agreed in writing, subject to the ratification of the board of directors of the N. & C. Railroad Company and of his Excellency H. V. Johnson, then Governor of Georgia, to exchange certain lands belonging to said company and to the State of Georgia in the said city of Chattanooga at and about the place now known as the passenger depot near the Crutchfield House upon certain terms specified in said agreement, with the view to the erection of a passenger depot, which

said contract was ratified by his Excellency H. V. Johnson the 13th day of December, 1855, and by the board of directors of the Nashville & Chattanooga Railroad Company on the 24th day of December, 1855; and whereas, on the 24th day of March, 1858, a contract was entered into between James A. Whiteside, director and a member of the executive committee of the N. & C. R. R. Co., and John M. Lewis, the then superintendent of the W. & A. Railroad, in modification of the former contract between the authorities of the said road for building of a passenger depot upon the lien of the grounds which were to belong to the said company and said State of Georgia under said first mentioned contract which said depot has been erected by the said John M. Lewis, as Superintendent of said W. & A. R. R., under said contract last mentioned which was ratified by me, as Governor of Georgia, on the 5th day of April, 1858, which said depot is now owned by the authorities of said two roads, and by the East Tenn. & Ga. Rwy. Co., which said company by its President C. Wallace by a writing on the back of said agreement, agreed to take an interest in said depot, the said Western & Atlantic Railroad, under said contract, has one of the four tracks in said depot, the Nashville & Chattanooga Railroad Company one track, the East Tennessee & Georgia Railway Company one, and the remaining or fourth is leased to the Memphis & Charleston Company for thirty years if said company wishes to keep it so long, which lease has been about one year; for the use of said track said Memphis & Charleston Railroad Company is to pay interest on ten thousand dollars at seven per cent. or seven hundred dollars per annum, of this sum, one-half or three hundred and fifty dollars belongs to the Western & Atlantic Railroad and the other half or three hundred and fifty dollars is to be divided

equally between the Western & Atlantic Railroad, the Nashville & Chattanooga Railroad Company and the East Tennessee & Georgia Railway company if said last named company claims, and at the end of said lease said track is to belong to the said three roads in the proportions above mentioned, to wit: The Western & Atlantic Railroad to have half of it, the other half to belong jointly to the three roads.

Now for the purpose of settling all difficulties and misunderstandings between the authorities of said roads and of carrying out the contract entered into by my said predecessor in office, for and in consideration of the fact above recited, and of the sum of eight thousand dollars by said Nashville & Chattanooga Railroad Company to be immediately paid into the treasury of the Western & Atlantic Railroad Company and for the further consideration that said last named company is to convey to the State of Georgia for the use of the Western & Atlantic Railroad before this deed shall take effect or a conveyance to said company the tract or piece of ground in said city of Chattanooga containing ninety-six hundredths of one acre, more or less, commencing at the southeast corner of the original depot grounds of the Western & Atlantic Railroad at a stone corner and running down the present track of the Western & Atlantic Railroad on the south side thereof at a distance of three feet from the south side of said track following the course of said track to the eastern boundary line of the six acre tract bought by the Nashville & Chattanooga Railroad Company from B. R. Montgomery, thence north 20 degrees west with side line about 24 feet to the right of way of the Western & Atlantic Railroad, thence along the line of the said right of way to the depot grounds of the

Western & Atlantic Railroad, thence with the line of said depot grounds to the beginning point.

For all these considerations together, I, Joseph E. Brown, Governor of the State of Georgia, have and do hereby sell and convey to the said Nashville & Chattanooga Railroad Company the tract or parcel of land now belonging to said State in said City of Chattanooga, embraced within the following boundaries, which I do not consider necessary to the Western & Atlantic Railroad for depots, woodyards, nor water stations, nor do I consider that it will be now or at any other time necessary or convenient to said road, to wit: Commencing at a point on the south side of Ninth street, where a direct line run through the center of the passenger depot building would strike said street and running through the center of said passenger shed or house and centering said line run from said starting point through the center of said building to a point two hundred and fifty feet from the said passenger depot on the south side thereof, thence on a line run on a regular curve to the stone at the southeast corner of the original depot, north 70 west 911 feet to the corner-stone of the tract owned by the Western & Atlantic Railroad, on Chestnut corner Carter street, thence north 20 east along the line of said street eight hundred and seventy-two (872) feet to another corner stone of the depot ground on North street, thence along the line of Ninth street, to the beginning, supposed to contain eight acres and seventy-nine hundredths, this conveyance of the ground covered by one-half of said depot building does not convey any right in the former part of this deed when the rights of the respective company to the use and ownership of said depot building and track are fully defined.

To have and to hold the said bargained premises last named unto the said Nashville & Chattanooga Railroad Company forever in fee simple.

In witness whereof, I, as Governor of said State have hereunto set my hand and seal the day and date above mentioned.

Witness

JOSEPH E. BROWN, [Seal]

M. J. CAMDEN,

Governor of Georgia.

J. A. WHITESIDE.

STATE OF TENNESSEE, Hamilton County

Personally appeared before me Charles W. Vinson, clerk of the county court of Hamilton county, aforesaid.

M. J. Camden and James A. Whiteside, the two subscribing witnesses to the foregoing conveyance, with each of whom I am personally acquainted, who after being sworn say that they are both personally acquainted with Joseph E. Brown, Governor of Georgia, and that he executed said deed in their presence on the day it bears date for the purpose therein expressed.

Witness my hand at office in Chattanooga the 31st day of August, 1860.

CHAS. W. VINSON, Clerk.

Per J. P. M. Millen, D. C.

STATE OF TENNESSEE, Hamilton County.

Register's office September the 3rd, 1860, at 9 o'clock a.m., then was the foregoing deed with its certificate received for registration, and is now of record in my office in Book N, pages 183, 184, 185 and 186.

Witness my hand at office in Harrison the day and date last above written.

A. W. MOORE, Register.

STATE OF TENNESSEE, Hamilton County.

I, H. F. Rogers, register of Hamilton, certify that the foregoing pages and two lines are a true, perfect and correct copy of the foregoing deed from J. E. Brown, Governor, to Nashville & Chattanooga Railroad Company, together with certificates of probate and registration as the same remains of record in my office in Book N, pages 183 et seq.

Witness my hand at office in Chattanooga, Tenn., this 3rd day of November, 1890.

W. F. ROGERS, Register.

The "digest" referred to in the foregoing letter is presumed to be embraced in the following documents which had been previously handed to the Governor or sent him, presumably by the authority of the Southern Railway, embracing an abstract of contracts, litigation, etc., and copies of two letters from President J. W. Thomas, of the N. C. & St. L. Railway, dated November 28, 1890, and March 11, 1891, respectively.

OUTLINE OF TITLE OF SOUTHERN RAILWAY TO AN INTEREST IN THE UNION STATION AT CHATTANOOGA, TENN.

Originally the land upon which this depot was erected belonged to the State of Georgia. In 1857 the Governor

of that State made an agreement which was enlarged in 1858, by which the Governor of the State conveyed to Nashville & Chattanooga Railroad Company half of the land upon which the depot is situated, dividing it by a centerline running back from Ninth street, the western half belonging to the Nashville Road, the eastern half to the State of Georgia. It is contended that the Governors, Johnson and Brown, had no right to make this conveyance.

Letter of Assistant General Counsel W. A. Henderson  
to President Samuel Spencer

### I.

On September 12, 1857, the Nashville & Chattanooga Railroad Company and the Western & Atlantic Railroad entered into an agreement to build a passenger house in Chattanooga: The Western & Atlantic to control two-thirds, the Nashville & Chattanooga Company to pay ten thousand dollars towards the cost of said house and to be entitled to one-third of the building when completed.

### II.

March 28, 1858, a modification of that contract was made by another contract of said date, by which the W & A. Railroad was to build the house with all due economy—the N. & C. Railroad Company to own one-fourth, embracing the western track, and to pay ten thousand dollars; the E. T., V & G. to take one-fourth at ten thousand dollars; the W & A. Railroad to take one-fourth at ten thousand dollars; the remaining one-fourth to belong equally to the three. If the cost of the house exceeded \$30,000, then the W & A. Railroad was to be

reimbursed to the amount of the excess, but not to exceed \$5,000.

### III.

By another undated contract, signed by V. K. Stevenson, President of the N. C. Railroad, by J. H. Whiteside and J. M. Spurlock, Superintendent of the W & A. Railroad, after satisfying the wants of the W & A. Railroad as to depot grounds, the E. T., V & G. Railroad Company was to have access to and occupation of the passenger house and sufficient grounds for their tracks for conducting transportation into and through the depot; and also sufficient grounds to be thereafter designated for railroad tracks and for conducting their freight business with connecting roads, by paying to the Superintendent of the W & A. Railroad the original cost of the depot and grounds as might in that event be obtained by the E. T., V & G. Railroad Company.

### IV

After the building was completed, the E. T., V & G. Railroad Company occupied the same, using one particular track in the depot. A one-fourth interest was leased to the M. & C. Railroad Company at \$700 per annum.

### V

After the close of the war the W & A. Railroad made certain improvements and repairs to the depot and premises and thereafter, on the 4th of October, 1873, filed a bill in the name of the State of Georgia, by the Governor and Comptroller-General, against the N. & C. Railroad Company, the E. T., V & G. Railroad Company and



the M. & C. Railroad Company, to collect the pro rata from these different roads of the cost of the improvements. This cause was No. 1367 in the Chancery Court of Hamilton county at Chattanooga. In that cause the M. & C. Railroad Company disclaimed title and thereupon an amended bill was filed in order to prevent the allegations in the original bill from working an estoppel in favor of the M. & C. Railroad. This cause was tried and prosecuted to a conclusion. After proof was taken a decree was rendered in the cause, in which it recited "From all of which it appears that the respondents, the East Tennessee, Virginia & Georgia Railroad Company and the N. & C. Railroad Company are each joint owners with the State of Georgia in the depot at Chattanooga, known as the Union Passenger Depot, fronting on Ninth street, in said city and running back in a southerly direction and that each of said respondents own one-fourth interest in the same and complainant one-half, as shown by the written contract of the parties. And because it further appears to the Chancellor that since the respondents have been such joint owners of said depot as aforesaid and the complainant has made large expenditures of money in necessary and proper repairs of said depot and premises, each of the respondents are liable and bound to contribute one-fourth of the same, etc.

## VI.

The E. T., V. & G. Railroad Company used and occupied and claimed this one-fourth interest in the Union Depot as its own, and paid taxes on it after the term of the exemption of the railroads from taxation expired, said E. T., V. & G. Railroad Company paid one-fourth of the taxes on said property, which, including the taxes,

as we interpret it, also upon the land upon which the depot was built. These taxes were both State, county and municipal.

The value of the depot at the time it was placed on the ground was very large in proportion to the value of the ground. The original depot, while described in cause No. 1367, as fronting on Ninth street, in reality was back away from Ninth street some 75 or 100 feet; and this description we are of the opinion was thus made in view of the fact that all the parties looked upon the Union Depot as embracing the ground upon which the depot was situated out to and including the street. Some time since extensive improvements, amounting to about \$10,000, were placed upon the depot. These improvements consisted in the building of a large two-story brick addition in front of the old depot proper, and also the extension of the sheds in the rear of the old depot. Both of these improvements were made upon the ground not at all covered by the original depot. The building as now standing lacks fifteen or twenty feet of coming to the street line of Ninth street. The improvements, however, which were made, included improvements upon the ground in front of the depot and the sidewalk on Ninth street. For all these improvements the E. T., V & G. Railroad paid one-fourth, the N., C. & St. L. Railroad Company, the successor of the N. & C. Railroad Company, paid one-fourth, the W & A. Railroad paid one-fourth, and the M. & C. Railroad Company, which claimed title by virtue of a parol purchase of one-fourth interest, or of a written contract which is lost, paid one-fourth.

Suit was instituted by the E. T., V & G. Railway

Company against the N., C. & St. L. Railway Company et al., having for its object the sale and partition of this property. The Chancellor, when he decided this case, held that neither the Southern, nor the M. & C. had any title to the land upon which the depot was situated, but held that each company occupying it was entitled to its proportion of the value of the depot improvements in proportion as the amount paid in by them respectively on account of additions and improvements bore to the value of the depot houses, and ordered a reference to the master to report this value, with the proviso that the Nashville, Chattanooga & St. Louis Railway Company, or the State of Georgia should within the time to be fixed, pay in this value, or else that the improvements should be sold.

This case was heard in the Court of Chancery Appeals, and on October 20, 1897, a decree was entered reversing the Chancellor's decree and holding as follows:

First—That the ground upon which the Union Depot at Chattanooga, Tenn., stood belonged to the State of Georgia.

Second—That the Union Depot building was constructed under contract between the N., C. & St. L. R. Co., E. T., V & G., M. & C. and W & A. (lessees of the State of Georgia), whereby each was to contribute one-fourth of the expenses of construction, and was to use the building as a joint terminal so long as any one of them desired to do so; that the tracks were distributed among the four roads; that the E. T., V & G. should have sufficient ground for ingress and egress to and from the depot; that each was to contribute one-

fourth of maintenance; that the Southern Railway, as assignee of the E. T., V & G. R. R. Co., was entitled to use the privileges secured by the contract so long as it desired to do so, and so long as it complied with the conditions of the contract for joint maintenance.

Third—That the plaintiffs were not entitled to have a sale of the Union Depot property for division of proceeds.

From this decree the Southern Railway obtained a writ of error to the Supreme Court on October 26, 1898. that court entered a decree affirming the decree of the Chancery Court of Appeals except so much thereof as adjudicated that the Southern Railway Company and the M. & C. were entitled to use the privileges secured to them by the contracts set out in the original and amended bills, for the reason that the question of their present right to use such privileges was beyond the pleadings in the case. This cause above stated was struck out, but the decree in all of the other respects was affirmed.

#### COPY.

NASHVILLE, November 28, 1890.

*Messrs. Poston & Poston, Attorneys, Memphis, Tenn.*

GENTLEMEN: Referring to yours of the 26th. My information is that the original Union Depot at Chattanooga was erected in 1858 by the Western & Atlantic R. R., the East Tennessee, Virginia & Georgia R. R. and the Nashville & Chattanooga Railroad Company under a contract which you will find recorded in the Register's Office at Chattanooga, September 3, 1860,

Book N, page 183, by which the W & A. has one of the four tracks, the N. & C. one, and the East Tennessee one track, and the fourth track was leased to the Memphis & Charleston R. R. for a term of thirty years, for which they were to pay \$700 per year. Of this sum, \$350 belongs to the Western & Atlantic, the other half to be divided equally between the W & A., N. & C. and the East Tennessee Railway, the track so leased at the end of the lease to belong to said roads in the proportion in which they receive pay therefor.

Yours truly,

(Signed)

J. W THOMAS,  
President.

COPY.

NASHVILLE, TENN., March 11, 1891.

*C H. Hudson, Esq., General Manager, Knoxville, Tenn.*

DEAR SIR: Referring to yours of the 9th. My understanding is that the records of Hamilton county show that the W & A. own 6-16, the N., C. & St. L., 5-16, and the E. T., V & G., 5-16, of the Union Depot at Chattanooga, and that Memphis & Charleston only leased the use of this building for thirty years from November, 1858, agreeing to pay \$700 per annum, \$350 to the W & A., and \$150 each to the N. & C. and the E. T., V & G.

I do not wish to give any annoyance or trouble in regard to this matter; only desire to put this company on record so that the title to the building can not be im-

paired by the continued use by the Memphis & Charleston without, as we think, any legal title to the property.

Yours truly,

(Signed)

J. W THOMAS,  
President.

Subsequently and in response to a letter written by Attorney-General Hart to Governor Smith on March 12, 1908, the Governor desired me to inquire fully and at large in reference to the matter referred to, and report thereon, and at the same time report in regard to such other major claims to and occupations of the right of way of the Western & Atlantic Railroad as might be possible in advance of the next meeting of the General Assembly I have accordingly made such inquiries both in Georgia and Tennessee and taken such steps as seemed of most pressing importance and I herewith lay the result of my inquiries before you.

The rights of the State of Georgia to construct and maintain the Western & Atlantic Railroad within the limits of the State of Tennessee depend upon two Acts of the Tennessee Legislature passed January 24, 1838, and February 3, 1848, and here set out as follows:

#### AN ACT

To authorize the State of Georgia to extend her Western & Atlantic Railroad from the Georgia line to some point on the eastern margin of the Tennessee river.

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That the State of Georgia shall

be allowed the privilege of making every necessary recognition and survey for the purpose of ascertaining the most eligible route for the extension of her Western & Atlantic Railroad from the Georgia line to some point on the eastern margin of the Tennessee river.

Sec. 2. Be it further enacted, That as soon as said route and point shall be ascertained the State of Georgia shall be allowed the right of way for the extension and construction of her said railroad from the Georgia line to the Tennessee river, and that she shall be entitled to all privileges, rights and immunities (except the subscription on the part of Tennessee) and be subject to the same restrictions, so far as they are applicable, as are granted, made and prescribed for the benefit, government and direction of the Hiwassee Railroad Company.

Sec. 3. Be it further enacted, That the foregoing rights and privileges are conferred upon the State of Georgia on condition that whenever application is made she will grant and concede similar ones, and to as great an extent, to the State of Tennessee or her incorporated companies.

JOHN COCKE,  
Speaker of the House of Representatives.

TERRY H. CAHOL,  
Speaker of the Senate.

Passed January 24, 1838.

#### AN ACT

Conferring upon the State of Georgia additional rights  
in relation to the Western & Atlantic Railroad.

Be it enacted by the General Assembly of the State of Tennessee, That all the rights, privileges and immunities, with the same restrictions which are given and granted to the Nashville & Chattanooga Railroad Company by the Act of the General Assembly of this State incorporating said company, passed December 11, 1845, are so far as they are applicable, hereby given to and conferred upon the State of Georgia, to be enjoyed and exercised by that State in the construction of that part of the Western & Atlantic lying in Hamilton county, Tennessee, and in the management of its business.

P BUCHANAN,  
Speaker of the House of Representatives.

J M. ANDERSON,  
Speaker of the Senate.

Inasmuch as these Acts refer to the Charters of the Hiwassee Railroad Company and the Nashville & Chattanooga Railroad Company, these charters are here set forth, except such portions thereof as refer merely to details or corporate organization and which are therefore presumed to be manifestly immaterial. The charters are as follows:

#### AN ACT

To incorporate the Hiwassee Railroad Company

SECTION 1. Be it enacted by the General Assembly of the State of Tennessee That William Park et al. be and are hereby appointed commissioners, under a direction of a majority of whom subscriptions may be received to the capital stock of the Hiwassee Railroad Company,



hereby incorporated, which commissioners, together with such other persons as now are or may hereafter become associated with them, their successors and assigns, shall constitute a body corporate, and they are hereby incorporated under the name aforesaid, and in that name they shall have perpetual succession, may sue and be sued, plead and be impleaded, and shall possess and enjoy all the right, privileges and immunities, with power to make such by-laws, ordinances, rules and regulations, not inconsistent with the laws of this State and the United States, as shall be necessary to the well ordering and conducting the affairs of said company; and may by their by-laws, declare vacant the place of any director for non-attendance or neglect of duty and the said company shall be capable in law of purchasing, accepting, selling, leasing and conveying estates, real, personal and mixed, to the end and for the purpose of facilitating the intercourse and transportation from Knoxville, East Tennessee, through the Hiwassee District to a point on the Southern boundary of Tennessee, to be designated by the commissioners hereinafter mentioned as the most practical route to intersect the contemplated railroad from Augusta to Memphis

SEC. II. Be it enacted, That the said President and Directors shall have power to appoint a cashier and all such officers, engineers, agents or servants whatsoever deemed necessary for the transactions of the business of the company, and may remove any of them at pleasure; may fix the salary or compensation of such cashier, engineers, officers or servants in the employ of said company, and determine by their by-laws and manner of adjusting and settling all accounts against the company, and also the manner, effect and evidence of transfer of stock in said company.

SEC. 13. Be it enacted, That the President and Directors of said company shall be, and they are, hereby vested with all the powers and rights necessary for the building, constructing and keeping in repair of a railroad from Knoxville, East Tennessee, through the Hiwassee District, to a point on the Southern boundary of Tennessee, on the nearest, best and most practicable route.

The said road shall have as many tracks as may be deemed necessary by the Board of Directors, but shall not be more than two hundred feet wide, to which width the company may purchase and cause the same to be condemned for the use of said road, or any less breadth, at the discretion of the Directory, and they may be caused to be made, or contract with others for making of said road, or any part thereof, and they or their agents, or those with whom they may contract for making any part of said road may enter upon, use and excavate any land which may be laid out for the site of said road, or the erection of warehouses, engine arbors, reservoirs, booths, stables, offices and mechanics' shops, or other works necessary or useful in the construction or repair thereof or of its works.

They may fix scales and weights, build bridges, lay rails, make embankments and excavations, and may use any earth, ground, rock, timber or material which may be wanted for the construction and repair of any part of said road, and may construct any, may acquire all necessary steam engines, cars, wagon and carriages for transportation on said road by horse or steam power, and all necessary apparatus appertaining to the same.

SEC. 14. Be it enacted, That whenever it shall become necessary after said road is laid out, to subject the land

of individuals over which said road is laid out to the use of said company. and if the right of soil of the owner can not be had by gift or purchase, it shall be lawful for the President and Directors, their agents, contractors, laborers and servants to enter upon such lands and proceed in the opening and constructing of said railroad through the same; the pendency of any proceeding in any court, or before arbitrators, assessors or valuers, to estimate the damages that will be sustained by the owner or proprietor of said land by reason of opening of said road shall in no manner hinder or delay the progress of said work, and no order shall be made, nor any injunction or supersedeas be awarded by any judge or court to hinder or delay the progress of said work, the true intent of this Act being that all injury that may be done to any land without the consent of the owners or proprietors thereof, by opening or constructing the railroad through the same, over and above the advantages of the road to the owners or proprietors of the lands, shall be fully and completely compensated for damages when ascertained, so that a work of great public utility may not be delayed by lawsuits.

SEC. 15. Be it enacted, That the President and Director of said company, their officers, servants and agents, shall have full power and authority to enter upon all lands and tenements through which they may judge it necessary to make said road, and lay out the same according to their pleasure, so that neither the dwelling house, yard, garden, nor curtilage be invaded without consent of the owner thereof, and if the company can not agree as to the value of the land, and the owner will not convey it in fee, either party may apply to the Circuit Court of the county where the said land lies by

giving five days' notice, if the owner of the land resides in the county, and twenty days' notice if he resides in any other county in this State, and by advertising in some newspaper printed in Knoxville, Athens or Madisonville if he resides out of the State, or be a body corporate, to appoint commissioners to assess the value and condemn the land for the use of said road; and the court shall appoint five disinterested freeholders of said county, and who shall be sworn or affirmed justly and impartially to value the lands, who shall ascertain what damage the owner will sustain, if any, by the location of said road over his land, always taking into consideration the benefit the road may be of to the owner, and the tendency said road will have to enhance the value of the land, and said five freeholders, any three of them concurring, shall report to said court as soon as practicable the damages, if any, and if none are sustained they shall report the fact, which report, if unexcepted to, shall be recorded, and if any damages are assessed, the money shall be paid into the County Court by the company. The fee simple of land so valued as aforesaid, shall vest in said company; and the description of the land and the report of the commissioners shall be made a matter of record, and when registered shall have the effect of a deed of conveyance in fee simple to the company; provided, however, that when infants or persons of *non compos* are owners of the land, the guardian shall be notified of said proceedings in said court, and if there be no regular guardian, said court shall appoint some person well qualified to defend and protect the interests of said infant or non-sane person.

SEC. 16. Be it enacted, That the President and Directors, for the purpose of making said road or repairing

the same after it shall have been made, shall be at liberty by themselves or agents, to enter upon any adjacent land, and cut, quarry dig, take and carry away therefrom any timber, stone, gravel or earth which may be necessary: provided, they shall not, without the consent of the owner, cut down any fruit trees or trees preserved in any enclosure for shade or ornament, or take away any materials constituting any part of a fence for building—for all of which materials, under the authority of this Act and for all incidental injuries done to ground, wood, enclosure or crops in carrying them away, the said company shall make the owner a reasonable compensation: and if the parties can not agree upon the price, it shall be ascertained by three impartial freeholders to be appointed by a justice of the peace at the application of either party, the opposite party having three days notice of the application to the justice. The three freeholders shall be sworn to do impartial justice between the parties, their award shall be returned to the justice and shall stand as an award made by order of the court upon the rights of the parties, upon which the justice may enter judgment and issue execution if within his jurisdiction: if over, he shall certify the proceedings as in any other cases to the next court to be proceeded up as an award made by order of said court; provided, either party may have the proceedings corrected by certiorari and not by appeal, if the proceedings be quashed, the court may appoint other valuers and cause justice to be done as contemplated before and by order of the court quashing said proceedings.

SEC. 17 Be it enacted, That should said railroad pass over vacant or unappropriated lands, said company shall have exclusive right of entering the land over which said

road may be laid out, not exceeding two hundred feet in breadth, until the first day of January, 1839, and the entry-taker of the district or county through which said road may be laid out shall not receive any entry within that period for the benefit of any other person or persons than said company under the penalty of five thousand dollars, to be recovered by action of debt in any court having cognizance thereof at the suit of said corporation; provided, said company shall notify the entry-takers of the different counties through which said road may pass of the route thereof.

SEC. 18. Be it enacted, That said railroad company shall have power to acquire and own, as common stock of said company, lands near and connected with said road, on which to erect warehouses, booths, arbors, stables, reservoirs, etc., for the purpose of constructing said road and keeping it in repair, and for the convenience of transportation and places of deposit, which improvements they are hereby authorized to construct. If the company can not agree with the owners of the land necessary for the above purposes, they may have it condemned in the same manner as the land over which the road is laid out may be condemned by the 15th section of this Act; provided, that no more than five acres shall be taken at any one place, except by agreement with the owners.

SEC. 19. Be it enacted, That the whole stock and property of said company, real, personal and mixed, and the issues, profits and proceeds thereof, shall be holden in law, and are hereby declared to be personal property in all cases, and the said property, and the profit arising therefrom, shall be vested in the respective shareholders,

their heirs and executors, administrators and assigns, in the proportion of their respective shares.

SEC. 20. Be it enacted, That whenever it shall become necessary in the construction of said road to cross or intersect any public road now or hereafter established by law, it shall be the duty of said company so to construct said road as not to impede the passage or transportation of persons or property along the same.

SEC. 21. Be it enacted, That shall it be necessary to pass through the improved land of any individual, it shall be the duty of said company to provide such individual with a proper and suitable wagonway across said road from one part of his or her land to the other if the same shall be required by said owner at the time and route of said railroad (is) determined on; but the owner of said road may at any time after said road shall be opened and completed construct and make such wagonway across the same at his or her own expense, under the supervision and direction of said company.

SEC. 22. Be it enacted, That if said company shall not begin the railroad contemplated by this Act, or contract for the construction of some part thereof, on or before the first of January, 1838, and complete the same on or before the first day of January, 1844, the interest of said company in said road shall be forfeited and cease, and also all right to take soil.

SEC. 23. Be it enacted, That as soon as any section of five miles of said road shall be completed, the President and Directors may transport all persons, produce and commodities, such person or persons, or owners of such produce or commodities first paying the said com-

pany or their agent the toll that may be demanded for that purpose. The capital stock of said company shall be forever exempt from taxation; and all other property of every description situated within this State, including the road and rails, shall be exempt from taxation for and during the period of twenty years from the completion of said road and no longer.

SEC. 24. Be it enacted, That when said railroad shall be completed, or any five miles thereof, the President and Directors shall on the first Monday in January and July in each and every year, declare and make such dividends of net profits, or the tolls herein granted, as may be advisable to be divided among the proprietors.

SEC. 25. Be it enacted, That if any person shall wilfully injure, impair or destroy any part of said road constructed under this Act, or any of the necessary work, buildings, machines, wagons, cars, booths, reservoirs, bridges or viaducts, such persons shall be subject to indictment, and on conviction shall be fined and imprisoned at the discretion of the court and jury, and shall moreover be liable to an action of damages at the suit of said company in any court having cognizance thereof.

SEC. 26. Be it enacted, That said company shall be authorized to charge the following tolls, to wit: For every passenger, not exceeding six cents per mile; for every one hundred pounds of goods, wares, merchandise, produce and commodities of every description, not exceeding one-half cent per mile on heavy articles and ten cents per cubic foot on articles of measurement.

SEC. 27. Be it enacted, That full right and privilege is hereby reserved to the citizens of the State or any



company hereafter to be incorporated under the authority of this State to connect with the road hereby provided for any other railroad or public improvement provided no injury is done to the works made, and created by said company hereby incorporated; and provided, also, that the same shall not interfere with the privileges hereinbefore granted.

SEC. 28. Be it enacted, That if any amount of stock should not be subscribed sufficient to complete the work from Knoxville to the south boundary line of the State, as contemplated by this Act, or if a majority of the Board of Directors should deem it advisable or expedient to begin the work on some point on Big Tennessee River, and should complete the work from such point to the south boundary line of the State of Tennessee, the work may be considered as completed, anything in this Act to the contrary notwithstanding. But the Board of Directors may, in their discretion, continue said road to Knoxville should they begin the work at some other point.

EPHRAIM H. FOSTER,  
Speaker of the House of Representatives.

JONATHAN WEBSTER,  
Speaker of the Senate.

#### AN ACT

To incorporate the Nashville & Chattanooga Railroad.

SECTION I. Be it enacted by the General Assembly of the State of Tennessee, That for the purpose of establishing a communication by railroad between Nashville

and Chattanooga, the formation of a company is hereby authorized which, when formed, shall be a body corporate by the name and style of "The Nashville & Chattanooga Railroad Company," and by said corporate name shall be capable in law to buy, receive by gift, hold, sell and convey real and personal estate, as hereinafter provided, make contracts, sue and be sued, to make by-laws and to do all lawful acts properly incident to a corporation, and necessary and proper to the transaction of the business for which it is incorporated, and to have and use a common seal, and the same to alter and destroy at its pleasure, and shall have perpetual succession of members.

SEC. 13. After the route of such railroad shall have been actually surveyed and adopted, and a plat thereof deposited in the office of the Secretary of State, it shall not be lawful for any other railroad to be built, cut or constructed in any way or manner, or by any authority whatever, running laterally within twenty miles of the route so adopted, unless by said company or with the consent of the Board of Directors thereof for the time being.

SEC. 14. The said company shall have the exclusive right of transportation or conveyance of persons, goods and merchandise and produce over the said railroad by them to be constructed, provided, that the charge of transportation or conveyance shall not exceed thirty-five cents per hundred pounds on heavy articles, and ten cents per cubic foot on articles of measurement for every hundred miles, and five cents per mile for every passenger; and provided, also, that the said company may, when they see fit, farm out their rights of transportation on said road, subject to the rates above mentioned.

SEC. 21. The said company may purchase, have, hold in fee, or for a term of years any lands, tenements or hereditaments, which may be necessary for said road or appurtenances thereof, or for the erection of depositories, stone houses, houses of the officers, servants or agents, of the company or for workshop or foundries to be used for the said company, or for procuring timber, stones or other material necessary for the construction of the road or its appurtenances or for affecting transportation thereon.

SEC. 22. The said company shall have the right when necessary to construct the said road or any branch thereof, across or along any public road or water course; provided, that the said road and navigation of such water courses shall not be thereby obstructed; and, provided further, that such railroad shall not be located so near any turnpike road as to injure or prejudice the interests of the stockholders in such turnpike road, except upon such terms as may be agreed upon by the president and directors of the same on behalf of the stockholders.

SEC. 23. That said company may purchase, have and hold any bridge or turnpike road over which it may be necessary to carry the said railroad, and when such purchase is made to hold the said bridge or turnpike road on the same terms and with all the rights which belong to the individual, individuals or corporation from which purchase may be made; provided, that the said company shall not obstruct any public road without constructing another as convenient as may be.

SEC. 25. In the absence of any contract with the said company in relation to the lands through which the said road may pass, signed by the owner thereof or by his

agent or any claimant or person in possession thereof, which may be confirmed by the owner, it shall be presumed that the land upon which the said road may be constructed, together with a space of one hundred feet on either side of the center of the said road, has been granted to the company by the owner thereof, and the said company shall have good right and title thereto, and shall have, hold and enjoy the same as long as the same be used only for the purposes of the road and no longer, unless the person or persons owning the land at the time that part of the road which may be on said land was finished, or those claiming under him, her or them shall apply for an assessment for the value of said lands, as hereinbefore directed, within five years next after that part of said road was finished, and in case the said owner or owners, or those claiming under him, her or them shall not apply for such assessment within five years next after said part was finished, he, she, or they shall be forever barred from recovering the said land, or having any assessment or compensation therefor; provided, nothing herein contained shall affect the right of *feme covert*s or infants until two years after the removal of their respective disabilities.

SEC. 26. If any person shall intrude upon the said railroad or any part thereof, or of the rights and privileges connected therewith without the permission or contrary to the will of the company, he, she or they shall forthwith forfeit to the said company all the vehicles that may be so intruded on said road, and the same may be recovered by suit at law, and the person or persons so intruding may also be indicted by misdemeanor, and upon conviction fined and imprisoned by the court of competent jurisdiction.

SEC. 27. If any person shall wilfully and maliciously destroy or in any manner hurt, damage or obstruct the said railroad, or any bridge or any vehicle used for or in the transportation thereon, such person or persons so offending shall be liable to be indicted therefor, and on conviction shall be imprisoned not more than six nor less than one month, and pay a fine not less than twenty dollars, and shall be further liable to pay all the expenses of repairing the same; and it shall not be competent for any person so offending against the provisions of this clause to defend himself by pleading or giving in evidence that he was the owner, or agent, or servant of the owner of the land where such destruction, hurt, damage, injury or obstruction was done or caused at the time the same was caused or done.

SEC. 28. Every obstruction to the safe and free passage of vehicles on said road shall be deemed a public nuisance, and may be abated by such as an officer, agent or servant of the company, and the person causing such obstruction may be indicted and punished for erecting a public nuisance.

SEC. 29. The said company shall have the right to take at the storehouses they may establish or erect to their railroads, all goods, wares, merchandise and produce intended for transportation prescribed by the rules of priority, and charge and receive such just and reasonable compensation for storage as they by rules, may establish, or as may be fixed by agreement with the owner, which may be distinct from the rates of transportation, provided, the said company shall not charge or receive storage on goods, wares, merchandise or produce which may be delivered to them at their regular depositories for im-

mediate transportation, and which the company may have the power of transporting immediately.

SEC. 32. Whenever in the construction of said road it may be necessary to cross or intersect any established road or way, it shall be the duty of the company to construct said road across such established road or way so as not to impede the passage or transportation of persons or property along the same; or where it shall be necessary to pass through the land of any individual, it shall be their duty to provide for such individual a proper wagon way or ways across said road from one part of his land to the other.

SEC. 33. The said company shall possess such additional powers as may be convenient for the due and successful execution of the powers granted in this charter and for the successful construction and management of the work.

SEC. 34. This charter shall be amended from time to time by the Legislature whenever the President and Directors shall unanimously petition for the amendments; and when such amendments shall be adopted by the Legislature and submitted to the directory and be accepted unanimously by the President and Directors, they shall be obligatory on the stockholders, and not otherwise.

SEC. 38. The capital stock of said company shall be forever exempt from taxation, and the road with all its fixtures and appurtenances, including workshops, warehouses and vehicles of transportation, shall be exempt from taxation for the period of twenty years from the completion of the road and no longer.

SEC. 39. The railroad authorized by this Act shall be commenced within three years after the passage of this Act and shall be finished within six years thereafter; otherwise the charter granted shall be void.

In virtue of these grants of power the State of Georgia, prior to 1855, has acquired a tract of land within the present limits of Chattanooga, embracing the present passenger depot and the present central yards used by the lessee company, as well as a considerable amount of land now covered by business houses. For the present purpose of inquiring into the rights of the Southern Railway in the depot, it is not material to go any further into detail as to the limits of these purchases.

In addition to the copy set out in Mr. Henderson's letter, of a deed alleged to have been made by the Governor of Georgia in 1860 and already incorporated herein, the following documents have at various times in the past been set up and alleged to exist or to have existed. They are here set forth for purposes of reference and will be treated herein as genuine, though I deem it proper to say that I have no evidence of their authenticity except the claims of the various railroad companies concerned.

## I.

STATE OF TENNESSEE, Hamilton County.

Memorandum of an agreement entered into this, the 13th day of November, 1855, by and between Vernon K. Stevenson, president of the Nashville & Chattanooga Railroad Company, and James F. Cooper, superintendent of the Western & Atlantic Railroad. Subject to the ratification of their respective principals, to wit: The Board

of Directors of the Nashville & Chattanooga Railroad Company, and his excellency, Herschel V Johnson, Governor of Georgia, the Western & Atlantic Railroad is to convey to the Nashville & Chattanooga Railroad Company that portion of their ground lying west of the line through the center of the joint passenger house, said line being straight for three hundred feet south of said passenger house, thence curving regularly until it intersects the southeast corner of said purchase.

And the Nashville & Chattanooga Railroad Company is to convey to the said Western & Atlantic Railroad a strip of ground lying east of a line commencing at said southeastern corner, then curving regularly parallel to the track of the Western & Atlantic Railroad until it intersects the original tract of said road, thence along said tract to the eastern line of the tract purchased by the Atlantic & Western Railroad, thence along said line to the corner aforesaid.

It is agreed that the lands thus exchanged shall be valued at cost and interest, and the difference when thus valued is to be paid to the party which conveys the larger portion of land.

All the above lands lying and being within the corporate limits of the city of Chattanooga, in said State and county, and being the depot grounds of the said railroads.

In witness of this agreement the parties thereto have set their hands and seals the day and year above written.

(Seal)

V K. STEVENSON,

President.

J. F. COOPER,

Supt. W & A. R. R.



## EXECUTIVE DEPARTMENT, MILLEDGEVILLE, GA.

December 13th, 1855. I hereby ratify the foregoing contract under my hand and seal of the Executive Department at the capitol in Milledgeville on the day and year above written.

HERSCHEL V JOHNSON,  
Governor of Georgia.

## II.

CHATTANOOGA, Sept. 12th, 1857.

We, the undersigned, on the part of the roads we respectively represent, do hereby agree as follows: That the Western & Atlantic Railroad authorities shall, as soon as the same can be reasonably accomplished, have erected a passenger house in Chattanooga for the accommodation of the different railroads meeting at that point.

The house to be in plan, size and finish in all respects the same as the passenger house at Atlanta, with the privilege, however of making the walls of stone in whole or in part at the option of the Superintendent of the Western & Atlantic Railroad. The Nashville & Chattanooga Railroad Company agrees to pay ten thousand dollars towards the cost of said house, to be advanced from time to time, as the work progresses, in such sums as the engineer of the Nashville & Chattanooga Railroad Company may consider properly due, and for which the said Nashville & Chattanooga Railroad shall be entitled to one-third of the building when completed. The house to cover the site heretofore designated for a joint passenger house. The Western & Atlantic Railroad shall

have control of two-thirds of the said house, and the right to sell and reserve the proceeds for one-third.

(Signed)

J. M. SPURLOCK,  
Supt. W & A. R. R.

Signed in duplicate.

JOHN D LUMPKINS.

V K. STEVENSON.

Probated by J. A. Whiteside, director for the Nashville  
& Chattanooga Railroad Company.

### III.

#### EXHIBIT B TO ANSWER OF NASHVILLE & CHATTANOOGA RAILROAD TO BILL NO. 1367.

CHATTANOOGA, March 24th, 1858.

The Nashville & Chattanooga Railway Company consents to a modification of the contract of 12th September, 1857, between J. M. Spurlock, Superintendent Western & Atlantic Railroad and the said Nashville & Chattanooga Railroad Company for building a joint passenger house at Chattanooga, as follows:

1st. The Western & Atlantic Railroad shall build the house, all due economy.

2d. The Nashville & Chattanooga Railroad Company shall own one-fourth, embracing the western tracks, and pay ten thousand dollars.

3d. The East Tennessee, Virginia & Georgia Railroad to take one-fourth at ten thousand dollars.

4th. The Western & Atlantic to take one-fourth at ten thousand dollars.

5th. The remaining fourth to belong equally to the three; but if the cost of the house exceeds thirty thousand (\$30,000.00) dollars, the Western & Atlantic Railroad shall, out of the proceeds of the sale of the remaining fourth, be reimbursed the amount of the excess; but this excess or reimbursement shall in no event exceed five thousand dollars, and the balance of the proceeds of sale of the one-fourth shall belong equally and be so divided, between the three parties named.

6th. Roof may not be covered with tin, but with other good substantial durable material suitable to its slope.

(Signed) JAMES A. WHITESIDE,  
Director and Member of the Executive Committee Nashville & Chattanooga Railroad Company

I agree on the part of the Western & Atlantic Railroad to the above modification if approved by the Executive of Georgia and concurred in by the East Tennessee & Georgia Railroad.

(Signed) JOHN W. LEWIS,  
Supt. W & A. R. R.

#### IV

OFFICE WESTERN & ATLANTIC RAILROAD,

ATLANTA, GA., Feb. 2, 1859.

This agreement made this day between the State of Georgia acting through their agent, John W. Lewis, Superintendent of the Western & Atlantic Railroad, subject to the approval of the Governor of the State, of the first part, and the Memphis & Charleston Railroad Company,

acting through their president, Samuel Tate, of the second part.

Witnesseth, that the party of the first part has this day leased to the party of the second part, one undivided fourth interest in the new passenger house now under construction at Chattanooga, Tenn., for the term of one year from the first day of March next with the privilege of renewing the same lease from year to year for thirty years, upon the terms and conditions herein specified, to wit, the party of the first part are to complete said house in all respects in accordance with the contract heretofore entered into with the Nashville & Chattanooga Railroad Company, and the party of the second part is to have the exclusive privilege of one of the tracks on the west side of the house, together with an equal and joint privilege with the three other roads occupying the said house, to all the general privileges and profits, if any, arising from the whole house. The party of the second part agree to pay for said lease the sum of seven hundred dollars per annum, payable semi-annually, and also to pay one-fourth of the necessary expenses to said house the time they occupy the same.

It is further agreed by the party of the first part, that should the party of the second part desire to terminate said lease by an actual purchase of said one-fourth interest in said house, they shall have the right to do so by the payment of ten thousand dollars at any time they may see proper to do so.

Signed in duplicate, the 2d day of February, 1859.

JOHN W. LEWIS,  
Supt. W & A. R. R.

SAM TATE,  
Pres. M. & C. R. R.

## EXECUTIVE DEPARTMENT,

MILLEDGEVILLE, GA., February 4, 1859.

I ratify and approve the foregoing contract.

JOSEPH E. BROWN,  
Governor of Georgia.

By the Governor.

M. D. McCOMB,  
Secretary Executive Department.

In the year 1891 the East Tennessee, Virginia & Georgia Railway Company brought its bill in equity before the chancery court of Hamilton county, Tennessee, against the Nashville, Chattanooga & St. Louis Railway Company the Memphis & Charleston Railway Company, and the State of Georgia. The original bill set up that complainant was the owner of one-fourth undivided interest in the Western & Atlantic passenger depot in Chattanooga "including one of the tracks running into and within said union depot and the privileges appertaining thereto," that the State of Georgia and the Nashville, Chattanooga & St. Louis were each the owners of a fourth and that the Memphis & Charleston claimed a fourth, and that the property was not susceptible of division. The bill thereupon prayed for a sale for partition and for a decree as to the rights of the parties. This bill was filed July 30th.

On August 18th the Memphis & Charleston filed its answer and cross bill, admitting that complainant and its

co-respondents owned between them three-fourths of the depot property but disclaiming any knowledge as to the proportions, and averring that it owned one-fourth, and joining in the prayer for partition.

The cross bill further set up that in 1881 it, together with the N., C. & St. L., the E. T., V & G. R. R. Co., and the W & A. R. R. Co., were in possession of the depot "under a lease or agreement," etc., and exhibited said alleged writing—the exhibit being substantially identical in terms with the alleged deed of August 17, 1860, accompanying Mr. Henderson's present demand on Governor Smith.

It alleges that in 1881 it made a contract with one or all of its co-tenants for a purchase of an undivided fourth for \$10,000 and agreed to pay one-fourth the expense of erecting additional improvements thereon. The evidence of this contract was lost, but in any event it had always been recognized and acted on, and respondent has not paid any rent since. On the contrary, it did pay half the purchase price (\$5,000) and its fourth of the improvements (\$14,254) and would have paid the other \$5,000 if the other parties had been able to make good titles.

Recognizing some informality in its title, respondent claimed that some of the parties should pay back the \$19,000 if it could not share as a joint owner.

In September the State of Georgia filed a demurrer

to the original bill, and the Nashville, Chattanooga and St. Louis Railway Company filed a demurrer and answer to the original bill and a demurrer and answer to the cross bill.

In the former the N., C. & St. L. denied that complainant owned any interest, and averred that it and the State of Georgia alone were owners of divided interests as shown in the deed of 1860. It also declared that plaintiff had never, before the present action, claimed any right except to pay one-third the expenses of maintenance and receive one-fourth the rentals paid by the M. & C. R. R. Co. This arrangement, it declared, was merely a matter of convenience in providing joint terminals for public use, and would be defeated by the partition prayed. Complainant had at most a mere chattel interest and had recently voluntarily abandoned that. The title of the property was originally in the State of Georgia, which had never parted with any title therein except as shown in the deed of 1860 exhibited with the cross bill.

In its answer to the cross bill substantially the same issues were made by the N. C. & St. L. Ry. Co., but it was admitted that the Memphis and Charleston did, about 1858, acquire some sort of leasehold rights for thirty years in the depot.

In October the State of Georgia filed a demurrer to the cross bill.

April 22, 1892, complainant filed an amended bill

against the same respondents and the present lessee, the Western & Atlantic Railroad Company. This was a very long document and need not all be synopsized here. Among other things, it alleged its own identity with certain former companies known as the East Tennessee and Georgia, the East Tennessee and Virginia, and the E. T., V & G. R. R. Co., and, renewing its claim of title, set forth and exhibited the contracts of 1857 and 1858, already herein set out, as part of its evidence of title, averring that the modified contract of 1858 was in fact "approved by the Governor of Georgia, Hon. Joseph E. Brown, and was concurred in by the East Tennessee and Georgia Company, which concurrence was evidenced by a writing endorsed on the back of said contract." The amendment further purports to exhibit an additional contract made, as alleged, at some time prior to March 24, 1858, between the Nashville and Chattanooga R. R. Co., and the Western & Atlantic on the one hand and complainant's predecessor, the E. T., V & G. R. R. I have not been able to find any copy of this contract, but the amended bill states as follows in regard to it:

It agrees that a passenger house shall be erected by all three of the companies at Chattanooga, for their joint use, to be paid for and owned equally by each; the East Tennessee & Georgia Company for occupation of and access to said depot, was to have sufficient and suitable grounds for its tracks, and was also to have sufficient ground for its railroad tracks and for conducting its freight business, on paying the superintendent of the Western & Atlantic Railroad the original cost of the land.



The amended bill adds that the three railroads and also the M. & C. have jointly and continuously used the depot ever since, until recently the exigencies of its business had compelled it to seek other quarters, that it paid its share of the cost of the house, and of the land, and has always paid its share of the taxes, and that until now, it has always been admitted to be the owner of a fourth both of the house and the land. It sets out elaborately the deed of 1860 and pleads its recitals as an estoppel in complainant's favor. The amended bill further sets up that prior to 1873, considerable repairs and improvements were put on the property by Foster Blodgett, superintendent of the W. & A. R. R., and that in the latter year, the Governor and Comptroller-General of Georgia brought a bill in equity against the three railroad companies enjoying the use of the depot to compel contribution, and subsequently by amendment or supplemental bill alleged joint ownership in the N. & C. R. R. Co. and the E. T., V. & G. R. R. Co., and tenancy in the M. & C.

At a later stage of the cause now under discussion, the decree that was rendered in this bill of Smith, Governor, et al., in 1875, was exhibited and relied on as an estoppel. The decree was as follows:

At a Chancery Court begun and held at the court house in the city of Chattanooga, Hamilton county, Tennessee, being the regular term of the Chancery Court of Hamilton county, on the second Monday in October, 1875, present and presiding the Hon. Wm. M. Brad-

ford, Chancellor of the Third Chancery Division of Tennessee, the following proceedings were had, to wit:

The Western & Atlantic Railroad, of the State of Georgia, for the use of the State of Georgia,

vs.

The Nashville & Chattanooga Railroad Co., The E. T.,  
V & G. R. R. Co. et al.

This cause came on to be finally heard and determined before Chancellor Bradford on this 3d day of November, 1875, upon the pleadings, proofs and exhibits in the cause, from all which it appears that the respondents, the East Tenn., Va. & Ga. Railroad Co., and the N., C. & St. L. Railroad Co., all each joint owners with the State of Georgia in the depot in Chattanooga known as the Union Passenger Depot, fronting on Ninth street in said city and running back a southerly direction; and that each of said respondents own one-fourth interest in the same and complainant one-half, as is shown by the written contract of the parties. And because it further appears to the Chancellor that since the respondents have been such joint owners of that depot and premises used and known as such Union Passenger Depot as aforesaid the complainant has made large expenditures of money in the necessary and proper repairing said depot and premises, for which each of the aforesaid respondents are justly and equitably liable and bound to contribute each one-fourth of the same. And because it is admitted in open court before the Chancellor that the proper and just amount which each of the aforesaid respondents is liable to contribute and pay on account of said repairs and improvements is the sum of \$1,250 each to be paid in three months from the date of this decree without interest. And that each of said respondents ought to pay

one-fourth of the costs of this cause and the complainant the other half of the same it is, therefore, upon such admissions as well as upon the whole case, ordered, adjudged and decreed by the Chancellor that the complainant recover of each of the aforesaid respondents the sum of \$1,250, but that no interest shall accrue upon the same until the expiration of three months from the date of this decree and that execution be stayed for three months from the date of this decree, after the expiration of which time, in default of payment, execution may issue against said respondents respectively for the same.

It is further decreed that the complainant and E. M. Dodson and J. L. Smith, its surety for the prosecution of this suit, pay one-half of the costs of this cause; and that said respondents, the N., C. & St. L. Railroad Co., and the E. T., V & Ga. R. R. Co., each pay one-fourth of the costs of this cause, for which execution may issue.

It is further agreed by the parties that this decree is in no manner to interfere with or operate as an adjudication or settlement of any claims or demand which each or either of said respondents may have against the complainant or any other party or person for rents which the complainant or its agents, etc., has or should have collected of the Memphis and Charleston R. R. Co., or other party for the use of said depot or for any portion of which said complainant may be liable to account to said respondent or either of them by any agreement subsisting between said W & A. R. R., or the State of Georgia and said respondents, but this agreement is not to be construed as any admission by complainant of any such agreement or liability. And by consent the decree heretofore rendered in this cause at the present term is vacated and for nothing held.

Another matter set up at length in the supplemental

bill was the alleged fact that about 1882 extensive additions and improvements were made to the depot property by the four lines using it and with mutual recognition of each other's ownership. The cost was alleged to be \$80,000, whereof one-fourth each was paid by the M. & C., the N., C. & St. L., the E. T., V & G., and the W & A., the latter being a tenant of the State of Georgia, and the said State accounting to it therefor as betterments at the end of the lease. These matters were pleaded as estoppel, and in this connection reference is made in the pleadings to the letter of March 11, 1891, from J W Thomas to C. H. Hudson, the same letter now exhibited by Mr. Henderson to Governor Smith, and hereinafter copied.

The amended bill distinctly averred title both to the ground and house, and prayed for a sale for division or some equitable reimbursement for the complainant's outlay. On May 17, 1892, the State of Georgia demurred to the amended bill.

There were a great many more pleadings filed and the record in Chattanooga is very extensive. It is unnecessary to set out the pleadings any further, as the issues are indicated with reasonable clearness by what has already been set out. In its answer to the amended bill, filed August 5, 1892, the N., C. & St. L. denied any knowledge as to any of the exhibits except the deed of 1860. June 12, 1894, Georgia filed an answer to the cross bill, and on July 11, 1894, to the amended bill. In these pleadings the State alleged *inter alia*, that the deed

of 1860 was conditional, and that the conditions have never been complied with. It also denied any authority in the lessee company or the Governor to convey property without the consent of the Legislature.

In May, 1895, the bill was revived at the instance of the Southern Railway Company and that company was made party complainant as successor to the rights of the E. T., V & G. Ry Co.

June 2, 1897, the Chancery Court of Hamilton county pronounced the following decree in the cause:

At the regular term of Chancery Court of Hamilton county, Tennessee, begun and held at the court house in the city of Chattanooga, said county and State, on the first Monday, it being the 5th day of April, 1897, present and presiding the Hon. T M. McConnell, Chancellor in and for the Third Chancery Division of said State; whereupon the court, on request of the members of the bar, adjourned until Monday morning, April 19, 1897, at 9 o'clock.

Monday Morning, April 19, 1897.

Court met pursuant to adjournment, present and presiding Hon. T M. McConnell, Chancellor, when the following proceedings were had, viz.:

E. T., V & Ga. Ry Co.	}	No. 5719.
<sup>vs.</sup>		
N., C. & St. L. Ry Co. et als.	}	

In this cause it appearing to the court that respondent Western & Atlantic Railroad of Georgia is regularly in

court by publication and by the entrance of appearance by counsel, and that said Western & Atlantic Railroad has not filed any answer in this cause, it is therefore decreed by the court that judgment *pro confesso* be taken and had against said Western & Atlantic Railroad and that this cause be set for hearing *ex parte* as to said Western & Atlantic Railroad.

And thereupon this cause came on to be heard before the Hon. H. A. Chambers, Special Chancellor, on the pleadings, proof and argument of counsel, and after mature deliberation the Court doth order and decree as follows.

I.

All demurrers filed by defendants are overruled.

The State of Georgia is in court and subject to its jurisdiction in this cause.

II.

The title to the soil or ground of the lot in controversy is in the State of Georgia. Complainant, the East Tennessee, Virginia and Georgia Railroad Company and its assignees, or successors in interest, the Southern Railway Company, have acquired no title to said lot by estoppel or otherwise.

III.

The buildings and improvements now on the lot, including floors, tracks and foundation, parts of walls and pillars, everything except the soil itself, belong to the four parties to this case, to wit:

1. The State of Georgia.
2. Nashville, Chattanooga & St. Louis Railway Co.

3. Southern Railway Company

4. The Memphis & Charleston Railway Co.  
in the proportion that the money furnished by each and used in making and maintaining the buildings and improvements now on the lot, including taxes and operating expenses, bears to the present value of said buildings and improvements, less any profits or income therefrom.

But in fixing the proportion, the rents paid by the Memphis & Chattanooga Railroad Company are not to be considered or credited to it. No credit will be allowed to it or to complainant for rents for their interests in said property since they withdrew from and ceased to use it. They will not be charged or the other parties credited with any extraordinary improvements on the property since their withdrawal, but with only ordinary repairs to keep the property in good condition.

The State of Georgia is to be treated as representing and owning the interests of the Western & Atlantic Railroad, and the Western & Atlantic Railroad Company

#### IV

A reference will be had to the Master to ascertain from the proof on file, and any other hereafter produced by the parties, and report.

First—The amount furnished by each party and used in the making and maintaining the buildings and improvements now on said lot.

Second—The present value of said buildings and improvements.

Third—The present value of the interests of each party

in said buildings and improvements according to the proportion hereinbefore declared.

Fourth—When these amounts and values are fixed by the court on said report, or otherwise, the State of Georgia and the Nashville, Chattanooga & St. Louis Railway Company shall have the option, for such time as the court may then determine, to buy the interests of the complainant and the Memphis and Charleston Railroad Company, at the fixed present value or any amount on which they may agree, and if they fail to buy under this option, then a public sale of the buildings and improvements, with right of removal, will be made on such terms as the court may fix in making the order for sale, and the proceeds divided prorata on the respective interests of the several parties, and costs to be equally divided between the four parties.

Sixth—Appeal may be had now if desired.

And the Nashville, Chattanooga & St. Louis Railway and the Western & Atlantic Railroad Company pray an appeal from said decree to the next term of the Supreme Court of Tennessee, to be held at Knoxville, which appeal is granted upon said appellant entering into appeal bond in the sum of two hundred and fifty (\$250) dollars, conditioned as required by law.

In making out the transcript for the Supreme Court by agreement of all the parties, the Clerk and Master will not copy into the transcript any of the vouchers or other exhibits to the depositions except the exhibits to the statement or deposition of Stacy Lord, nor any of the other documentary evidence used on the trial except the transcript in cause 1367, and it is agreed that any



party to the suit may use on the trial in the Supreme Court any part of the original record that was filed in the Chancery Court, the same as though copied into and made part of the transcript.

But the Clerk and Master will copy into the transcript any part of the record that he may be directed so to do in writing by any of the attorneys for any part of the suit.

And thereupon Brown and Spurlock appeared in open court and acknowledged themselves as sureties of said N., C. & St. L. Ry and the W & A. R. R. Co., for the costs of said appeal and thereupon appeared in open court, Garnett Andrews and W P McClatchey and acknowledged themselves as sureties of the State of Georgia for the cost of said appeal, which may be adjudged against said State of Georgia.

And thereupon appeared in open court Cooke, Swaney & Cook and acknowledged themselves as sureties of East Tennessee, Virginia & Georgia Railway Company, the Southern Railway Company, and the Memphis and Charleston R. R. Company for the costs of said appeal which may be adjudged against them or either of them.

The case was then taken on appeal to the Chancery Court of Appeals at Knoxville, where it was decided in October, 1897, and afterwards to the Supreme Court. The opinions were not printed in either court, but I have recently procured certified copies and hand them to you herewith. That of the Chancery Court of Appeals is too long to embody herein and for that reason I only undertake to state the important points adjudged and

decreed and my understanding of their legal consequences and to embody such extracts as may be important. The judgment of the Supreme Court I include in full.

I.

It was held by the Chancery Court of Hamilton county that the State of Georgia was in that particular matter subject to the jurisdiction.

The Chancery Court of Appeals affirmed this finding and based its opinion on the Act of 1847-8, already herein copied, and the charter of the Nashville & Chattanooga Railroad, also herein set out. That portion of the opinion reads as follows:

Only one other question remains, and that is, whether the State of Georgia is properly before the court; that is, should its demurrer for want of jurisdiction be sustained. We are of the opinion that the demurrer is not well taken. This is a suit concerning the administration of property of that State in Tennessee, for the purposes for which the right to enter the State of Tennessee was given. The Tennessee Statute which extended rights to Georgia with regard to constructing the road in Hamilton county, this State, is found in Ch. 195, Acts of 1847-8. That Statute gives to the State of Georgia all the 'rights,' privileges and immunities, with the same restrictions which were previously granted to the Nashville & Chattanooga Railroad Company 'by the Act of December 11, 1845.' That Act is Ch. 1, Acts 1845-6. That Act includes among the rights and restrictions, the

right to sue and be sued. This includes the courts of Tennessee along with other courts.

The judgment of the Supreme Court is hereinafter set out in full and it will be seen that it in substance sustains the lower courts on this point.

2.

The trial court found that the title to the ground is in the State of Georgia and particularly that the Southern Railway has acquired no title therein by estoppel or otherwise. This necessarily disposed of the claim based on the bill of 1873.

The Chancery Court of Appeals sustained this finding.

As to the claim of title based on the decree of 1875, it ruled in substance that that decree adjudicated nothing but the right of the State of Georgia to have the joint occupants contribute to the maintenance of the property, and that the decree must be read in the light of the issues actually involved. Upon this branch of the case the court said as follows:

Taking all these points together, we are of the opinion that the extent of the decree was simply to declare the joint ownership of the three interests, in the house itself, as follows—W & A. R. R. (State of Georgia) one-half, East. Tenn., Va. & Ga. R. R. Co., one-fourth, and N. & C. R. R. Co., one-fourth, with a joint obligation for repairs and improvements. We concede the proposition that usually a conveyance of a house, describing it, without more, will carry the land on which the

house stands, but this rule does not hold good as to trade fixtures, and does not apply where the court is enforcing the estoppel of a decree. In the latter case, the court will construe the decree and find out its true meaning without regard to the technical rules that obtain in the law of conveyancing.

As to the alleged rights growing out of the transactions of 1881-2 it held that, whatever may have happened at that time, the State of Georgia had nothing to do with it and was in no wise affected by it. Upon this subject the court said as follows:

It must first be stated that the Western & Atlantic R. R. Company, which was operating the road at this time under the lease of 1870-1890, had no authority to act for the State of Georgia in the matter of the repairs and improvements, and had no title to the property, other than the lease title. It had no right or power to sell the Union Passenger Depot, or any interest therein, other than to permit a joint use, as had previously been permitted. The title to the property on which the depot stood was in the State of Georgia. That State had nothing to do with the negotiations concerning the repairs and new improvements of 1881-1882. Under the terms of the lease to the Western & Atlantic Railroad Company, that company was to return the property to the State in as good condition as at the beginning of the lease. That State had nothing to do with the terms of joint occupation during the years 1870-1890, being then out of the control of the property, its lessees having control. So, during only a short space of the time after the expiration of that lease has it had control, inasmuch as it appears in the proof that during the year 1890, after the

expiration of that lease, it again leased the property, this time to the Nashville, Chattanooga & St. Louis Railroad Company, for the period of twenty-nine years, and that company has since been operating it under the designation of the Western & Atlantic Railroad Company.

So, it is apparent that no rights whatever, as against the State of Georgia can be based upon the repairs and costly improvements of 1881-1882.

\* \* \* \* \*

The statute of frauds is pleaded by the State of Georgia and the Nashville, Chattanooga & St. Louis Railway Company and besides, the State of Georgia, even under the foregoing testimony, was no party to the agreement, and in addition to this, the burden of proof would be upon the Memphis & Charleston Railroad Company to establish the proposition, and this testimony is denied by Major Thomas, and besides all this, the proof in this record fails to show that Nashville & Chattanooga Railroad Company (or its successor, Nashville, Chattanooga & St. Louis) had any title to the ground on which the depot stood, unless such title arose from the documents which we shall presently consider. So we must conclude that this testimony fails to establish that there was any purchase by the Memphis & Charleston Railroad Company. So it follows, there is no proof to sustain the claims of the Memphis & Charleston Railroad Company to purchase any interest in the depot and depot grounds. Its claim to such purpose is rested upon the transaction of 1881-2, and having failed to establish the claim, we must find that it made no purchase of the depot or depot grounds. It does not claim any part in the prior transactions arising under the document referred to.

As to the claim of title under the deed of 1860, the court said as follows:

We may, however, in passing, say with regard to the deed of Governor Joseph E. Brown of date 1860, that on a cursory examination it would—treating it as valid—seem to vest a half interest in the Nashville & Chattanooga Railroad Company, but it will be observed that by the terms of that deed certain things were to be done before the title vested, and it does not appear from this record that these things—the paying of \$8,000.00 and the conveying of the 96/100 acres of land—were done.

\* \* \* \* \*

We now proceed to consider the rights, if any were acquired by the East Tennessee, Virginia & Georgia Railway Company and the Nashville & Chattanooga Railway Company by virtue of the documents copied into the opinion.

“First, as to the recitals in Governor Brown’s deed. This deed was not excepted to, and it must be taken for what it is worth. As already stated, the proof shows that the property known as the ‘Western & Atlantic Railroad’ (not company) is merely a piece of property, or an investment owned by the State of Georgia. The Governor had no authority under the Georgia law to sell any land pertaining to that property except such as was given him by section 1008 of the Code of that State. This section reads as follows: “The Governor or Superintendent shall not sell any part of the right of way, nor any property or land of the road, that may be necessary for the erection of depots, woodyards, water-stations, or for any other improvement, to the convenience or interest of said road; but they may sell any land of

the road, if of no use to it, in the manner iron is sold, advertising it in the public gazette in Atlanta, and in the county where it lies, and in a public gazette thereof, if one, and the Superintendent shall execute deeds thereto in his official capacity." It does not seem from this section that the Governor had any authority to make the deed, although he recited therein, "which" (the property which he is attempting to convey) "I do not consider necessary to the Western & Atlantic Railroad for depots, woodyards, nor water-stations, nor do I consider it will be now or at any other time necessary or convenient to said road." The recitals then, even though unobjected to, would amount to no more than a private letter from Governor Brown to a third party that is, not binding upon any party by way of estoppel, but only as testimony. And in considering this testimony we must carefully distinguish between the statement of fact, therein contained and the conclusion of law introduced with the facts."

By reference to the decree of the Supreme Court hereinafter set out, it will be perceived that this finding was fully sustained in every particular except that there was a saving to the effect that the question of title as between Georgia and the Nashville, Chattanooga & St. Louis was not involved and therefore not adjudicated.

I suggest that while this was a saving as to any adjudication of title, it does not and can not affect the distinct holding upon a material issue of law that the deed of 1860 was unauthorized and void.

### 3.

The trial court ruled that the building and tracks were

the property of the State of Georgia and the three railroad companies in certain undefined proportions to be ascertained by a reference according to a rule of calculation laid down in the decree. That when this was ascertained the State of Georgia and the N., C. & St. L. should have the option to buy out the other two roads, in default whereof the building should be sold for division.

The Chancery Court of Appeals ruled that the whole arrangement was a mere agreement for the joint use of the property as a common terminal, and that technically there was no joint ownership; that Georgia was originally the owner of the property and built the depot, that the effect of the contracts in 1858 was to create a joint right of use in the N., C. & St. L. to one-fourth and in the predecessor of the Southern to one-fourth, with proportionate duties of maintenance and rights of egress and ingress; that in 1881 the M. & C. was admitted to a share in these rights by parties who had no right to bind the State of Georgia; that in 1891 the M. & C. and the E. T., V & G. abandoned the joint use; that no right resulted thereby to them to have the property divided; that all the parties have a continued right now to use the property; that no question is before the court as to the rights of the M. & C. as against Georgia after 1919, but as against the N., C. & St. L. the M. & C. still has a right of user.

The Supreme Court affirmed the judgment of the Chancery Court of Appeals in every particular except



as to any present continuance of a right of user in the Southern and the M. & C. That question it held was not before the court.

The following is a full text of the decree of the Supreme Court:

East Tennessee, Virginia &	} Appeals from Chancery
Georgia Ry Company	
vs.	
Nashville, Chattanooga &	
St. Louis Ry Company et als.]	Court of Hamilton County

This cause came on to be heard this —— day of October, before the honorable Supreme Court of Tennessee, on the appeal of all the parties from the decree of the honorable Court of Chancery Appeals, and the same having been fully heard and argued, the court is pleased to order adjudge and decree, that there is no error in the decree of the Court of Chancery Appeals, except so much thereof as adjudicates that the Southern Railway Company and the Memphis & Charleston Railway Company are still entitled to use the privileges secured to them by the contracts set out in complainant's original and amended bills, for the reason that the question of their present right to use such privileges is beyond the pleadings in the case.

It is therefore ordered, decreed and adjudged, that the decree of said Court of Chancery Appeals be modified so as to strike out the clause above cited, to which extent the decree of said Court of Chancery Appeals is modified, and in all other things it is affirmed. The relief allowed as to the State of Georgia does not touch her sovereignty, but concerns only her contracts as to the operation of the Union Depot, situated in the city of

Chattanooga, but more fully described in the pleadings.

It is further ordered, adjudged and decreed that the original and amended bills of the East Tennessee, Virginia & Georgia Railway Company be, and same are, hereby dismissed.

It is also adjudged and decreed that the Southern Railway Company, which was made party complainant in the place and stead of East Tennessee, Virginia & Georgia Railway Company, upon its own application, and Cooke, Swaney & Cooke, sureties on its prosecution and appeal bonds, pay all the costs of the cause and of the appeal for which execution may issue.

And it appearing to the court from the pleadings and the statements of counsel at bar that the question of title to the lot on which the depot stands as between the State of Georgia and the Nashville, Chattanooga & St. Louis Railway Company is not involved or intended to be litigated or adjudicated in this cause, and there being no controversy of any character between said parties nothing is adjudicated as between them, and no recitation in this decree of the decree of the Court of Chancery Appeals will operate to prejudice the rights of either of said parties as against the other.

In view of all the facts and documents laboriously set out in the foregoing pages, I am unable to see any right in or concerning the Union Passenger Depot in Chattanooga, either legal or moral, that can possibly remain in the Southern Railway. The right of joint use seems to have once existed, and the Supreme Court of Tennessee advises us that nothing is adjudged either way as to whether it yet exists or not. Legally it has been judi-

cially and conclusively ascertained that the land belonged to Georgia, that Georgia built the depot, and subsequently admitted the predecessor of the Southern Railway to a certain joint right of use therein for mutual convenience and advantage, and that some seventeen years ago the Southern abandoned this joint use. It was further judicially ascertained that the Southern had no right thereafter to interfere with those of its former partners who elected to continue the joint use. Every possible legal right has thus been determined except the solitary possible question of whether the Southern can now resume the joint use. That question would appear to be purely academic.

Mr. Henderson's letter to the Governor does not indicate precisely the nature of the right now set up and demanded. It may be that he can more exactly define his demand. Should he do so the facts and documents here reported will doubtless make it possible to reach an immediate conclusion as to the demand.

I now proceed to inform you as to the other principle matters at issue concerning the State's property in and along the W & A. R. R.

THE NASHVILLE, CHATTANOOGA & ST. LOUIS TITLE  
UNDER THE DEED OF 1860.

Intimately connected with the claim of the Southern Railway, discussed and reported on in the foregoing pages, is the question of title in the Nashville, Chattanooga & St. Louis under the deed of August 17, 1860.

That the deed in question was void, seems to admit of no doubt. In the decree rendered by the Chancery Court of Appeals in 1897, and already set out in this report, it was distinctly so held. In that opinion the court quoted and relied on Code section 1065. The language occurs in the Code of 1895, as quoted by the court. It appeared also in the Code of 1882, in section 1008, in the Code of 1873, as section 1008, in the Code of 1868 as section 1012, and in the Code of 1863 as section 932. In fact, however, none of the Codes had any application whatever, as the conveyance was executed two years and a half before the first Code was in effect.

Nevertheless, part at least of the language quoted by the Chancery Court of Appeals was the law of Georgia. It occurs in the Act of February 23, 1850, (Acts of 1849-50, page 393), section 6, and reads as follows

The Governor shall not sell at any time any part of the right of way heretofore acquired by the State, nor any property or land that may be necessary now or at any other time for the erection of depots, wood-yards, or water stations, or for any other improvements necessary or convenient to said road.

Assuming, however, that the rest of the Code section quoted had been really law in August, 1860, no substantial difference could exist, as the reasoning and judgment of the court shows that the deed would nevertheless be void. In fact the lands contemplated by the Code section as salable were such as are referred to in the Act of February 8, 1850, (Acts of 1849-50, page 297), as "lands lying on the line, etc." It is well known that the State was at that time the owner of a number of lots and other parcels of land along the line entirely disconnected with any railroad uses or purposes. These were by the Act of 1850, February 8th, permitted to be sold at public sale. Some of them have been sold within the last ten years. The subsequent Act of February 23, 1850, forbade the sale of terminals in the language already quoted. That the Governor did not regard the Act of February 8th as applicable, and did consider the Act of February 23d applicable, is manifest from the recitals employed by him, as well as from the fact that the sale was not made in public.

The question may arise as to the effect under the Act of February 23, 1850, of a recital that the land was not, in the opinion of the Governor, "necessary for the W & A. Railroad for depots," etc. The Tennessee court has indicated that, in its opinion, the recital is unavailing against the fact. (See the opinion quoted.) Moreover, the known fact is that the depot was at that time already on the property, and the conveyance included half of the building. This would seem to exclude any

doubt as to its necessity or convenience for the purpose for which it was then being used, and for which in fact it was sold.

In this connection I would call your attention to the language of the Tennessee court in *Elliot National Bank vs. Western & Atlantic Railroad*, reported in 2 Lea, 679.

The charter of the Western & Atlantic Railroad in the State of Georgia and the authority of its superintendent to execute negotiable paper must turn upon the construction of the Georgia Statutes. In the absence of any construction put upon them by the highest court of the State, our duty would be to construe them as best we could. But if the highest court of the State has already construed them, our duty is ordinarily to conform our decision to the construction given.

It has been said by the Supreme Court of Georgia that the Western & Atlantic is not a corporation, and that the superintendent of that road belongs to the class of public agents, like the Governor of the State (*Dobbins vs. R. R. Co.*, 37 Ga. 240). The difference in the relation of public and private agents to their principals is well defined. A private agent will bind his principal within the apparent scope of his authority. But with public agents it is entirely different. Their powers and duties are defined by statute, which is notice to the world of the limitations of their authority, and no pretension of authority or customary action can amplify that authority beyond the statutory limitations.

Assuming that the deed was void as title, the question arises as to whether it has since become valid.

The decree of 1875 has been relied on as estoppel in regard to the title. The Nashville, Chattanooga & St. Louis Ry. Co., however, joined with the State of Georgia in 1895 in denying that it had any such effect, and the chancery court so held in 1897. If it were otherwise, the Southern and the Memphis & Charleston would take under that decree, as well as the N. C. & St. L. Moreover, on its merits, an inspection of the record of *Smith, Governor, vs. the N. & C. R. R. Co. et al.*, in 1873-1875, shows that upon no just interpretation of that decree could it be regarded as an adjudication of anything more than the liability of the occupant roads to contribute to the maintenance of the property. Besides, that decree affected only the actual ground covered by the depot. The deed of 1860 affects eight and three-quarters acres.

The question of time is more serious. It has now been forty-eight years since the conveyance was made.

The Tennessee court has recognized the principle that Georgia, as a sovereign State, is entitled by comity to extensive immunities in its courts. (See *Tappan vs. W. & A. R. R. Co.*, 3 Lea, 106.) In the case already herein fully discussed, in which the E. T. V. & G. Ry. Co. sued the State, the Supreme Court of Tennessee said:

The relief allowed as to the State of Georgia does not touch her sovereignty, but concerns only her contracts as to the operation of the Union Depot, situated in the city of Chattanooga, but more fully described in the pleadings.

In view of the ruling in the Tappan case, already referred to, it is by no means sure that Tennessee would apply the rule of prescription to Georgia. And this is especially doubtful when we take notice of the fact that the ownership and construction of the Western & Atlantic Railroad was by legislative declaration in the original Act, 1836, undertaken expressly "*as a State work*," and has always been treated so in the decisions of our own court. The language already quoted from the Tennessee court in the Elliott case in 2d Lea indicates conclusively that that tribunal is disposed to accept the status of the road as declared by the Georgia court. Beyond any question Georgia could not be estopped by prescription in her own courts in matters relating to this railroad and its appurtenances. (See *Southern Railway v. Ga.*, 116 Ga. 276.)

Should it turn out, however, that the Tennessee court would admit the prescription rule as against Georgia, there are various other reasons why prescription might not be available as a defense in an action for the recovery of this property

The claimant has been, for instance, in possession as tenant for the past eighteen years of all the property pertaining to the railroad. As such tenant it would be entitled under the lease contract to the possession of the property embraced in the deed. Prior to that time the old lessee had possession, and the State could not have maintained an action. It is generally understood to be



true, though I have no present evidence of the fact, that during the greater part of the period of the old lease the lessee company held in some way in trust for the use and the benefit of the Louisville & Nashville Railroad Company who were the real tenants. That company is at present the owner of the majority of the stock of the N. C. & St. L., the present lessee, and has been for many years, and the two companies are, in a large sense, one concern. The facts in regard to these matters are not accessible to me, but I refer to the subject as containing at least a possibility of a strong equitable ground of exception to the running of time.

So far as I know or can ascertain, the State of Georgia, aside from the Governor who made the deed, and the superintendent of the road, never had any actual knowledge of the existence of the deed of August 17, 1860, until the year 1891, when it was disclosed by the cross-bill of the Memphis & Charleston R. R., Co. At that time the State would have been defeated by its own lease in any action for the recovery of possession. No mention of this conveyance was made in the Governor's annual message of 1860, nor at any time thereafter, and the annual reports of the superintendent of the road were equally silent.

Actual physical possession would ordinarily be notice in private cases, but physical possession in the present instance, as to the depot at least, was equally consistent with the mere joint occupation which all the roads had

for purposes of the public convenience, and with the further fact that the depot building was jointly built, paid for and used by the several lines of road. No express notice of adverse holding seems ever to have been given by the N. C. & St. L.

The General Assembly of Georgia took notice of this condition in 1896, and by joint resolution directed that appropriate action be taken for the assertion of the State's title. (See Acts of 1896, page 341.) At that time, however, the bill was pending in Hamilton county which has already been herein described, and it was deemed best by Mr. Wimbish, the special attorney, and by Governor Atkinson to await the determination of that cause, in the hope that the validity of the deed might be passed upon in the decree. The expected result was realized in part. The court held, as already shown, that no title passed under the deed. The effect of the decision, however, was destroyed by a recital in the judgment of the Supreme Court of Tennessee that the pleadings made no issue on this subject, and that therefore no adjudication resulted.

Thereafter, in 1898, Mr. Wimbish again urged the advisability of suing for the recovery of these lands, and in the year 1900 Mr. E. T. Brown, then special attorney for the W. & A. Ry., brought the question before Governor Candler whether action should not be still instituted. Nothing, however, has as yet been done.

By reference to the deed of 1860, it will be observed

that it refers to a previous executory agreement as having been made in 1855, and approved by Governor Johnson. In Mr. Wimbish's report for 1896 he says that he has never been able to find any copy of such agreement, and that the executive minutes during Governor Johnson's administration fail to show any record of his alleged approval thereof. I have been equally unable to find any place where this contract is set out or any evidence of Governor Johnson's connection with it. Recently, however, in the *Atlanta Constitution*, newspaper, of May 13, 1908, one of the officials of the Nashville, Chattanooga & St. Louis Railway published an interview in which he gave out what is alleged to be a copy of the instrument in question, and the approval of Governor Johnson on it. I have set out in full a copy thereof in an earlier part of this report.

Examination of the terms of the alleged agreement would seem to warrant the opinion that it does not in any way affect the situation as already set forth. No rights are claimed under the contract of 1855, which by its terms was merely executory. As an obligation of the State it was equally as unauthorized as the deed of 1860, and adds nothing to the validity of the latter instrument.

I call attention to one other fact in reference to the deed of 1860. By its terms it was conditional. The passing of title under it was made dependent upon a condition precedent, to wit: the conveyance to the State of Georgia of a certain tract of land of about one acre.

There is no evidence that the conveyance was ever made. It is said that the tract is in possession of the State. This is by no means certain. The land said to be the land in question has no visible sign of occupation exclusive in the Western & Atlantic Road, and, so far as I can tell, never has had. The actual possession is in the N. C. & St. L. now. Of course, it may be said that that possession is in the right of the State of Georgia, but there is no evidence to show it. Legal title on the records stands in the name of the Nashville & Chattanooga Railroad Company, and the actual possession is in the same concern. There is no evidence that the condition has ever been complied with that was expressly made a condition precedent to the vesting of title.

The \$8,000.00 was probably paid. In Mr. Brown's report as special attorney of the W. & A. R. R., in the year 1900, he says in reference to these matters

The money was paid into the State Treasury, and the deeds were given and recorded, and the State has ever since had possession of the tract given in the exchange.

I am not sure that these statements are entirely accurate. Possession may have been held, but I find no evidence of it. The deed may have been given, but I find no evidence of that. The money was never paid to the State Treasury, though I am inclined to believe that it was paid into the treasury of the Western & Atlantic Railroad.

## THE CHATTANOOGA YARDS.

Before leaving the subject of the Chattanooga terminals, it may be well to report in reference to Broad street and the anxious desire of the Chattanooga people to open it through the yards.

It was at one time contended that Broad street legally extended partly through the present yards, and that the city had the right to carry it on south of Ninth street, which is the present northern boundary of the yard. There were plausible grounds for this contention, but it is not necessary now to review them, for the following reasons :

The State owned a point of land in the angle between Tenth and Market streets, east of Market and disconnected with the depot yards. The city desired to open Georgia avenue and cut off this triangle. Litigation followed. At the same time the city of Chattanooga was moving in the direction of extending Broad street south of Ninth and through the depot yards.

The whole matter was compromised and adjusted in 1879. The city of Chattanooga passed an ordinance permanently closing Broad street south of Ninth, and a consent decree was entered enjoining any further interference with the opening of Georgia avenue. All parties were content, and no question is now raised as to the city's right to extend Broad Street.

For these reasons I do not trouble you or encumber this report with an elaborate statement of the facts.

At the same time, it is well enough to take notice of the fact that the people of Chattanooga are extremely desirous now of extending Broad street. I have conferred with a number of prominent citizens there, and I feel safe in saying that they entertain great good will for this State and are not desirous of doing us any unnecessary injury. At the same time they feel, and earnestly insist, that the present shape of our terminals obstructs the development of the city. They insist that while it may be, and perhaps is, true that our road was there first and that the city merely grew to the depot, that this does not affect the fact that the development of Market street south of Ninth is greatly hindered by our yards.

Our old freight depot property, corner of Ninth and Market, is perhaps the most valuable land in Chattanooga, and is easily worth \$4,000.00 per front foot. I append here two letters received from Mr. C. E. James, of Chattanooga, which explain themselves and afford some idea of the value of this land:

April 22, 1908.

*Mr Hooper Alexander, Atlanta, Ga.*

DEAR SIR: Referring to the property owned by the State of Georgia in Chattanooga: its present value is perhaps beyond the expectation of any citizen of Georgia who has not carefully examined the situation. You

have gone over the property several times in detail, and ought to be well posted as to its location and approximate value. This property can be leased in small tracts for business houses, each one of which would be a heavy shipper over the road, and every house could have a railroad track connecting with the W & A. Ry at its back door. The property can be leased now, without the State expending one dollar on it, at a rental that will pay interest on four million dollars, and leave enough room for a package freight depot for your road—all practically in the center of town. When you consider that the Patten Hotel (said to have cost a million dollars) is within 150 feet of the center of this property, and directly across the street, the 12-story James building is within one block of the property, and the Read House immediately across the street from the property, you will see that the property of the State of Georgia is practically in the center of the city of Chattanooga.

If by your energy and attention to this matter you save this valuable property to the State of Georgia, or get its value, you will have performed an act for which every citizen of Georgia should feel grateful to you.

The Tennessee river will be open for navigation the year round from Chattanooga to the Mississippi river within eighteen months. This would give the W & A. Railroad an independent outlet to all points in the Southwest. The citizens of Chattanooga are very favorable to the State of Georgia and its property, but we dislike to see a great piece of land so valuable, in the center of the city, used for storage of empty cars and the State get little or no revenue from the property, when it can be turned into a great revenue-producer for the State of Georgia, and without the expenditure of one dollar in

money. I hope the people of Georgia will sustain you in your efforts to preserve their interests.

Yours truly,

(Signed)

C. E. JAMES.

May 16, 1908.

*Hon. Hooper Alexander, Atlanta, Ga.*

DEAR SIR: I will, for myself and associates, pay the State of Georgia four per cent. interest on a valuation of \$4,000,000.00 equal to \$160,000.00 net per annum, and all taxes, making an advance payment of \$160,000.-00, and pay for the lease thereafter annually in advance to the State, for a 99-year lease on the land belonging to the State of Georgia in the city of Chattanooga lying on the east side of the east line of the Union Passenger Depot. The west line of the proposed leased property to commence at Ninth street and extend south along the east side of the Union Passenger Depot; thence on a curved line southeast parallel with your main track going into the passenger depot to a point where Market street crosses your tracks. This in no way interferes with your continued use of the Union Passenger Depot.

Yours truly,

(Signed)

C. E. JAMES.

Since the receipt of these letters, Mr. James has frankly stated to me his opinion that the lands can be leased for more than his offer. It is, of course, impossible for us to accept the proposition as made, nor am I prepared to say just now that it is desirable to do so, but I deem it proper to say that Mr. James is entirely able to comply



with his offer. By the expiration of the present lease this property may be reasonably expected to afford a revenue more than double the amount offered in the letter in question.

Meanwhile the people of Chattanooga are quite anxious to extend Broad street, and insist that it is competent for the Legislature of Tennessee to authorize condemnation for that purpose, and that sooner or later it will do so. The Chattanooga people are disposed, however, to be patient, and I am inclined to think that they will await the conclusion of the lease, if a reasonable agreement can be now made. They feel, however, that the State will be profited by the change, and therefore ought not to object. From careful personal examination of the ground, I am disposed to think they are correct as to the possibility of the State's profiting by some judicious change.

The present yards of the Western & Atlantic are used by the lessee merely to store empty cars. If the State should hereafter operate the road, or lease it to any other than the present lessee, it would be found that the grounds are too small. For team track deliveries twelve or fifteen acres will be necessary. For switching yards, under modern conditions, we will need a hundred acres. It is said to be possible at present to acquire these necessary lands, conveniently located, for a comparatively small sum. If the present yards should be converted into business property, it may be relied upon as certain that they will yield a very great revenue.

I venture to suggest that authority should be vested somewhere to negotiate on these subjects. It will save trouble and money, and, in my opinion, will prove advantageous to the State.

#### COMMERCIAL REAL ESTATE IN CHATTANOOGA.

From the passenger depot in Chattanooga on Ninth street eastward to Market street about 400 feet and thence southward on Market about 1,100 or 1,200 feet, a fringe of small business houses has been erected around two sides of the depot yard. These houses serve as a sort of a screen or fence around the property, concealing unsightly yards from the view of passers on the street. At the same time, they yield considerable revenue to the lessee company.

Some of these houses were erected by private persons during the period of the old lease. These inured to the State on account of the tenants' failure to remove them, and passed thence to the present lessee in 1890. The others have mostly been erected during the present lease by tenants taking leases on the ground only. All of them inure to the State of Georgia in 1919 under the terms of the present lease contract. Whether that right is safeguarded in the contracts between the lessee company and the occupying tenants, I have no means of knowing. If not, it is more than likely that controversies will result.

There are two other pieces of real estate on the east side of Market street to which the State holds undisputed title, but the rents of which are received by the lessee

company. One of these is a triangular block bounded by Market street on the west, Tenth street on the north, and separated on the east by Georgia avenue from the new Patten Hotel. This block is now covered by a four-story brick building occupied by the Southern Express Company.

The present rental value of these various properties is considerable. I am inclined to think that they can safely be reckoned as worth \$100,000.00 a year for rental and probably much more. The lessee does not report that much, but it must be remembered that many of the tenants built their own houses and pay ground rent only.

Two clauses of the lease Act are pertinent to be considered in connection with this subject. The first is that part of section 7 which makes all improvements inure to the benefit of Georgia and all attachments to the real estate permanent, and the second is that part of section 11 which permits the subletting of property not used for railroad purposes, provided it is safe in the opinion of the Attorney-General. The last of these clauses seem to imply a right in the Attorney-General to be advised of all contracts of rent and their terms. The first suggests a reason why it may be well to demand oyer of the leases.

At the extreme southern end of the Market street front, as the title is now recognized, the line of the State passes through a small house. The points of entrance and exit of the line, as claimed by the occupant and owner thereof, is visibly marked and at present there is no probability of controversy. Litigation, however, has

taken place in the past about this line, and was decided adversely to Georgia. Whether the decision was correct or not is not entirely certain, but it is final. Unless some permanent method of keeping up with out interests along the road is substituted for the present intermittent attention given the subject, we will always be in danger of litigation over this and other matters, and will always litigate at a disadvantage.

#### RIGHT OF WAY FROM BOYCE.

In the year 1879 the city of Cincinnati was moving actively in the construction of rail communication with the South by way of what is, or was, known as the Cincinnati Southern, owned chiefly, if not entirely, by that city. It was not foreseen then that the road would be leased and so pass into the hands of any railroad combination, and the State of Georgia looked forward with confidence to a time when the Cincinnati Southern would become a valuable ally to the Western & Atlantic and a communicating link with the territory north of the Ohio.

For this reason it was desired to extend every assistance and encouragement to the new road, which met the Western & Atlantic at Boyce, about six miles northeast of Chattanooga, and to provide physical facilities for exchanges of freight. As a means of carrying out this policy the General Assembly passed an Act in 1879, which will be found on page 218 of the Acts of 1878-79, granting license to the Cincinnati Southern to lay its track on the Western & Atlantic right of way from Boyce City to Chattanooga. The right of way is only

sixty-six feet along this distance. The Cincinnati Southern availed itself of the privilege, but has since acquired a right of way of its own along our western boundary, with the result that it has ample space for half a dozen tracks, while the Western & Atlantic has only thirty-three feet of right of way.

Meanwhile these lands are growing daily more and more expensive, and the time is rapidly approaching when we must build more tracks to meet the demands of an increasing traffic.

In addition to these considerations, the Cincinnati Southern has been leased for a long period to the Cincinnati, New Orleans & Texas Pacific Railway Company, a mere operating corporation, generally understood to be controlled by the Southern Railway. The latter company no longer cooperates with the Western & Atlantic, but diverts its traffic to its own lines, so that the moving considerations fully recited in the Act of 1879 have entirely failed.

I submit as a legal proposition that the Act of 1879 is a mere license revocable at pleasure.

#### RIGHT OF WAY IN WHITFIELD COUNTY.

Another uncompensated use of the Western & Atlantic right of way, pregnant with grave danger in the future, if not attended to, exists in Whitfield county, covering seven miles of our lines south of Dalton. This does not refer to the use of the Western & Atlantic yards by the Southern Railway at Dalton. I understand it to be true that the Southern uses the yards at Dalton,

not under any claim of right, but by virtue of some lease or contract with the lessee company. If this be true, it is apparently in violation of section 11 of the lease Act. But reference is intended here, not to this particular matter, but to the use of the Western & Atlantic right of way by the main line of the Southern Railway for some seven miles south of Dalton, for which that company claims some sort of legal right under the Act of December 14, 1859. (See Acts of 1859, page 313.)

Whatever rights were created by that Act in the Dalton & Gadsden Railroad are claimed to have been transmitted through successive companies to the Southern Railway. There are abundant reasons for denying that this is true. One of them stares us broadly in the face in the fact that by section 2167 of the Code, subsection 11, it is expressly provided that, in cases of judicial sale of railroads, no tax exemptions or other special privileges or immunity passes to the purchaser except such as go under the general incorporation law to all companies alike. In addition to being a special privilege, greater than such as are generally granted railroads, this particular privilege, if it ever was created, involves *pro tanto* a substantial immunity from taxation.

But in fact no such privilege was ever created. The Act of 1859 manifestly created no right whatever in the Dalton & Gadsden Company either for itself or its successors. It was not self-executing, but merely authorized the Governor to grant certain rights. The parallelism is perfect to that part of our Constitution which authorizes the General Assembly to grant certain tax ex-

emptions. No exemption followed until the Legislature exercised the power. So here, it required an exercise of the executive discretion before any right existed or could arise in the Dalton & Gadsden, or any other railroad company, to lay its tracks on the right of way of the Western & Atlantic Railroad. No such permission has ever been granted.

As nearly as I can learn the facts, the present line of railroad was built on the Western & Atlantic Railroad right of way by the Selma, Rome & Dalton Railroad Company about 1870, and that company merely usurped the authority.

Suit was brought in 1898 in Whitfield county, by direction of Governor Atkinson, to establish the State's title to this right of way and oust the possession of the Southern. The case went to the Supreme Court, where it was held that Georgia could not maintain the action during the continuance of the lease. (See Southern Railway Co. vs. Georgia, 116 Ga. 276.) This terminated the efforts of the State to assert its title. Meanwhile the Southern Railway remains in possession. Prescription is not running against the State, but there is a sort of moral strength accruing in favor of the usurped title that tends to make it very difficult for the State ever to assert her own or secure compensation for the deprivation of it.

With the lapse of time, many interests become entangled with *de facto* railroads. Communities are built up along their lines. Lands become valuable and almost impossible to acquire. The road itself becomes a neces-

sity to the community, and when the alternative is finally presented of either giving up a right of way worth many thousand of dollars, or condemning the wrong-doer to the penalty of buying a right of way for itself, the interest of the local public intervenes, and the loss is shifted upon the shoulders of the taxpayers at large.

With the Southern Railway constantly seeking new privileges at the hands of the State, it would seem not unreasonable to insist upon a present arbitration of disputed rights as a *sine qua non* to the grant of additional favors.

#### RIGHT OF WAY IN FULTON COUNTY.

For many years, and until the last six months, the tracks of the Southern Railway were on the Western & Atlantic right of way, from a point at or near Simpson street, in the city of Atlanta, to a point about six miles west of the Union Passenger Depot, the extent of the use being sometimes only one rail and in some places as much as two tracks. Within the last six months part of this use has been given up, as will be explained later. The use was and is justified by the Southern under an executive order of Governor Colquitt's dated in August, 1881, granted upon the petition of the Georgia Pacific Railroad Company, and for its use and benefit, as follows

ATLANTA, GA., August 6, 1881.

"WHEREAS, The Georgia Pacific Railroad Company has petitioned for the right of way over a portion of the Western & Atlantic Railroad.



It is therefore ordered, in pursuance of the authority conferred by the Acts of the General Assembly, which Acts are specifically referred to in the petition, that the privilege is granted to the Georgia Pacific Railroad Company of building its road on the right of way of the Western & Atlantic Railroad for a distance not to exceed four miles from the depot in Atlanta, but upon the following conditions

First—That the Georgia Pacific Road shall grant the same privileges to the Western & Atlantic Railroad if so desired.

Second—That the occupation and use of the right of way by the Georgia Pacific Railroad as herein granted, shall be so exercised as to interfere as little as possible with the use of the said Western & Atlantic Road by the present lessees, and any changes which may be necessary to be made by reason of the renewal of the present track or change of their location, or in any other way, shall be at the expense of the Georgia Pacific Railroad.

But prior to the occupation and use of the right of way of the Western & Atlantic Railroad, the officers of that company shall be consulted, so that there shall be the least possible interference with the business of said road.

Third—Believing that the building of the Georgia Pacific Railroad, and its extensions by a continuous line to the West, is of great importance to the people of this State, and that the enterprise should be fostered and encouraged while in its inception, and further believing that pecuniary compensation for the use of the right of way which, as above guarded, can not be injurious to the interests of the State road, should be moderate, the privileges of the right of way are hereby granted in consideration of the sum of one thousand dollars to be paid.

It is further ordered that this order and the petition

of the Georgia Pacific Railroad Company referred to above be entered upon the minutes of the Executive Department."

(Signed)

ALFRED H. COLQUITT,

Governor.

The history of this matter is necessary in order to form a judgment as to whether the Southern is entitled to use the right of way, as well as whether the right, if it exists, is irrevocable.

1. The Georgia Western Railroad was chartered by Act of February 18, 1854, with usual powers, and to build a railroad from Atlanta by way of Villa Rica to the Alabama line. (See Acts of 1853-4, page 440.)

2. By Act of December 20, 1860 (Acts of 1860, page 192), the charter was amended by authorizing an increase in the number of directors. In the second section of the same Act, the Governor was authorized, in his discretion, to grant the company the privilege of building its track on the Western & Atlantic right of way for not more than one mile from the Atlanta depot on the same conditions as the grant to the Dalton & Gadsden Railroad, and upon such payment by the road as the Governor should deem right and proper for the interest of the State. By the Act of December 11, 1866 (Acts of 1866, page 127), this limit of one mile was increased to four. There was another amendment to this charter in 1868, but it is not relevant here.

3. By Act of August 23, 1872, the General Assembly itself by direct grant authorized the Georgia Western

to lay its track on the Western & Atlantic right of way to any distance east of the Chatta'hoochee,

"Provided that the right of way of the Western & Atlantic Railroad shall not be used beyond the limits now allowed by statute, except by the written consent of the lessees of the Western & Atlantic Railroad."

4. By Act of February 29, 1876 (Acts of 1876, page 118) it was provided that in case of the sale of any railroad under foreclosure or other judicial proceeding, the purchasers might become incorporated by filing a certificate with the Secretary of State, etc., and such corporation should possess "*all the powers, rights, immunities, privileges and franchises,*" etc., that were "*possessed and enjoyed*" by the company whose assets were sold, "*under and by virtue of its charter and any amendments thereto, and of other laws of this State,*" etc., but with this limitation contained in the last section, that the Act should not vest in such purchasers any exemption from taxation existing in the old corporation, or operate to limit the power of the Legislature to alter, modify or withdraw the charter and franchises, etc.

5. By Act of February 27, 1877 (Acts of 1877, page 236), it was provided that in case of the sale of the Georgia Western by judicial decree, the purchasers might become incorporated by filing a certificate with the Secretary of State, etc., and that such corporation should possess "*all the powers, rights, immunities, privileges and franchises,*" etc., that were "*possessed and enjoyed*" by the Georgia Western "*under an Act approved February 18, 1854, entitled, etc., and an Act assented to December*

*20, 1860, entitled, etc., and any other amendment to its charter and the other laws of this State."*

What effect, if any, the Act of 1877 had on the Act of 1876, so far as it could otherwise have applied to the Georgia Western properties, is a question that I frankly confess my inability to answer. Under the present Constitution, Art. 1, Sec. 4, Par. 1 (Code section 5732), the Act of 1877, I take it, would be void beyond question. I take it to be almost equally certain that the corresponding section of the Constitution of 1868 (Art. 1, Sec. 26), did not invalidate the Act of 1877.

Taking that Act then to be valid, the question arises as to whether it repealed the Act of 1876 so far as concerned the Georgia Western. It either repealed the general Act as to this particular road and substituted a new rule for its case, or it provided a cumulative right for the case of this particular road and left its purchasers the option to take which they preferred, or both. There were five sections in the Act of 1876 (III-VII) embracing many valuable powers, that were not in the Act of 1877 at all. The provisions of section 8 of the Act of 1876 reserving to the State, in cases arising under it, the right to alter the charter or withdraw its franchises, were not contained in the Act of 1877, but I take it that this omission was immaterial, as that right was already reserved under the general laws of the State.

Another question arising upon these enumerated Acts, equally difficult to determine, is whether the Act of 1872 conferring upon the Georgia Western the absolute and unconditional right and privilege to occupy four miles

of the Western & Atlantic, or more if consented to by the lessees, repealed the Act of 1860 as enlarged by the Act of 1866, which conferred no such right by its own terms upon the Georgia Western, but did empower the Governor to grant such a privilege in his discretion and for a consideration.

With great doubt as to how far the courts may approve the opinion, I adopt for the purposes of this report the view that in neither case was there any repeal by implication.

In 1881 the Georgia Western was sold under a judicial decree from Fulton superior court to John T. Grant, with all its franchises, etc., except the right to be a corporation. Thereafter John B. Gordon and his associates were commonly understood to be a corporation known as the Georgia Pacific Railroad Company, and it is alleged, and I accept it to be true, that they took an assignment of his purchase from John T. Grant and became incorporated by filing a certificate with the Secretary of State.

Neither the Act of 1876 nor the Act of 1877 required or made provision for any record of the certificate, and the certificate can not be found in the office of the Secretary of State.

In a book published by H. W. Thomas in 1895, purporting to give a history of all railroad charters in Georgia, it is said that John B. Gordon and his associates filed a certificate June 6, 1881, under the provisions of the Act of 1876. The author of that book was at the

time of its publication a clerk in the office of the Secretary of State.

In a report by Judge W. A. Little to Governor Northen in 1893 it is said that the Georgia Pacific was incorporated under both Acts.

Under the provisions of the franchise tax Acts of 1903 all railroad companies are required to file in the Comptroller-General's office copies of all official documents under which they claim their franchises. Inquiry at the office of the Comptroller-General discloses the fact that the Southern Railway makes no claim whatever under any of the Acts chartering the Georgia Western or the Georgia Pacific. This implied renunciation of the easement will doubtless operate as an estoppel if any question should ever come before the courts on the subject.

I think there can be no reasonable doubt that the Act of 1872 was a mere license to the Georgia Western revocable at the pleasure of the grantor, even under the strictest code of laws. Under the reserved right of revocation that has been expressed in our codes since 1863, this would be even more certain. Under section 8 of the Act of 1876, the State expressly put the purchaser of the Georgia Western upon notice that it reserved the right to withdraw this or any other grant. If the Georgia Pacific incorporated under the Act of 1876 it took its franchises *cum onere*, and I imagine that this would be true even if it also incorporated under the Act of 1877

Assuming, however, that the Georgia Pacific incor-

porated only under the Act of 1877, it seems to me that the right of revocation would exist in virtue of the general law of the State just the same.

But the Georgia Pacific and its successor apparently elect to claim this right as in the nature of an irrevocable contract through Governor Colquitt's license, granted upon a consideration. Able lawyers contend that the mere payment of a consideration does not necessarily affect the revocability of a license or give to it the quality of a contract. I express no matured opinion about that, but the fact is that the \$1,000.00 was never paid so far as any record shows.

My own opinion is that Governor Colquitt had no legal authority to grant the permission of 1881. If the Act of 1860 was repealed by the Act of 1872 he certainly had none. Assuming, however, that it was not so repealed, the view I take of the matter is that no right or privilege whatsoever was vested in the Georgia Western by the second section of the Act of 1860. I again illustrate by our constitutional provision as to tax exemptions. That clause has no operation whatever in favor of any institution of purely public charity. It merely delegates authority to the Legislature to bestow such exemptions. No rights vest until the Legislature acts.

So with the Act of 1860. The Georgia Western took nothing under its second section. There were rights and powers conferred upon it by the first section that did vest, and these afford a subject matter upon which the

Act of 1877 may operate, when it provides that the purchaser shall succeed to the rights, etc., which is "*possessed and enjoyed*" under the Act of 1860. But this particular right was never bestowed on the Georgia Western, and never vested in it or came into existence during the entire life of that corporation. It never was a right or privilege "*possessed and enjoyed*" by the Georgia Western Company.

The Act of 1860 was not the grant of a privilege or easement, but a mere power to an agent. It no more bestowed a right on the company than a power of attorney to make a deed vest title in the contemplated grantee. Grants against the interests of the sovereign are strictly construed. This is elementary. The Act of 1860 created a power exercisable in favor of a certain person. That person survived the sale of its franchises in 1881 and eventually became defunct, and the power perished in the hands of the agent without ever being exercised in favor of the contemplated beneficiary.

According to my view of it, then, Governor Colquitt had no legal right to grant this easement to the Georgia Pacific, and the grant was void. Even were it otherwise, I think the license would be revocable, and in so far as the present use may be justified under the Act of 1872, there can be no doubt that it is revocable. If so, it is not unreasonable now, when the Southern has become powerful and rich, to require it for the future either to pay an adequate rental or provide its own way.

There is another matter, however, in connection with this use that is worth consideration. In no event was



there any indiscriminate grant. The Georgia Pacific was a particular line of rail and the grant contemplated one track for this line as a help and encouragement in its infancy. It certainly did not justify a wholly different company in using the right of way as was done when the East Tennessee, Virginia and Georgia Railroad Company came in over it. At present both of these properties have passed to the Southern. If it can maintain, as it does, two tracks and bring two of its lines over this right of way it can hereafter build a line to Montgomery and bring it into Atlanta over a third track.

The Acts of 1860 and 1866 limited the use to four miles. The Act of 1872 imposed the same limit, except that it might be extended by the written consent of the old lessee company to a greater distance. No such consent was ever obtained. Governor Colquitt's license was for four miles only. In fact, however, the Georgia Pacific and the Southern used the right of way for six miles, except that at one point about two and a half miles from the depot it left the right of way for a short distance, coming back to it again somewhere short of the three-mile post. It then left the right of way again at a point about three and a quarter miles from the depot and came back to it about four miles from the depot, remaining on the right of way then to the six-mile post.

The Southern persisted in this use for many years. Some ten years ago suit was brought by the State to oust the use, but it had been agreed that the Whitfield county case should control this one, and such was the necessary consequence irrespective of the agreement.

The case was therefore disposed of by the judgment in the 116th Georgia, already referred to.

Since the last session of the General Assembly the Southern has removed its tracks from beyond the four-mile point and procured a right of way of its own. I do not know it to be true, but I have been informed by persons employed by the lessee that this removal was secured by the lessee upon condition of allowing the Southern to put in a second crossing for its belt line over the main track of the W & A.

The Southern still maintains the old G. P track as its main line on our right of way for about three or three and a quarter miles, as first described, this use being largely in the city of Atlanta.

While prescription is said not to run in these matters the difficulties of actually recovering this valuable right of way are daily growing more serious. The property is badly needed now, and will be indispensable in a few years. If the lessee had possession it would be almost obliged to lay additional tracks now. These valuable improvements would inure to the State. The money lost to Georgia from the present situation is very great.

It would seem reasonable to say that the Southern Railroad ought to consent to a commission or board of arbitration to settle the question. If it will not, perhaps the State could compel it by granting no other franchises until it consents to do justice.

#### THE BELT LINE OCCUPATION.

The Georgia Pacific Railroad Company sold its fran-

chises and assets, being all the property of the old Georgia Western, except its franchise to be a body corporate, to an Alabama company of the same name, and this company subsequently became the Georgia Pacific Railway Company, an Alabama corporation.

The directors of this company held a meeting in Birmingham in 1882 and resolved to build a branch or belt line from its main line near Atlanta to the main line of the R. & D. R. R. It thereupon filed with the Georgia Secretary of State a certified copy of the resolution and proceeded to build. It had no authority in law whatever for this action.

It not only built the belt line of some three or four miles in length, but it put in a crossing on the tracks of the W & A. It has been said that it also laid its belt line track for something like a mile or more on the W & A. right of way. More than fifteen years ago the lessee was complaining of the danger and inconvenience resulting from this crossing, and several lawsuits were filed about it by the State.

In October, 1894, there was an agreement between the lessee and the Southern for the settlement of this matter, whereby the lessee granted and the Southern accepted, subject to the rights of the State, a license to cross, it being agreed that the Southern should at its expense move the crossing to a point some 900 feet east of the point then used and maintain it, giving the lessee prior right of passage, and that the old crossing and the encroaching tracks should be removed. This agreement was approved and consented to by Governor Atkinson by

executive order, provisional in its character and dependent on the ratification of the Legislature. The Legislature did ratify it by resolution of December 16, 1895 (see Acts of 1895, page 461), and so far as I know the matter has been ever since regarded as settled until the termination of the present lease, the Southern meanwhile occupying the admitted status of a mere licensee.

Recently, and within the last six months, I observe upon inspection that the Southern has put in a second crossing about as far west of the original crossing as the licensed crossing is east of it. I am informed, but not from the officials of the lessee, that this was consented to by the lessee upon condition that the Southern should remove its tracks from the last two miles of the old right of way, which has been done, as heretofore stated.

I regret that I am not able to speak more accurately as to this belt road matter, but further investigation will be needed before I can do so. It may be that the lessee has advised you about it. If not it will doubtless do so upon request.

## VIOLATIONS OF THE LEASE.

## I.

## IN THE MATTER OF TAXES.

By the terms of the lease the lessee was required to pay taxes to Georgia upon two accounts:

1. A tax on income.
2. An ad valorem tax on all property owned or controlled by the lessee not received from the State.

The tax required on income was stipulated to be "such taxes upon their income as is now paid by the Central Railroad and Banking Company." For a description of this tax you are referred to the original charter of the Central Railroad & Canal Company, section 7 (Acts of 1833, page 248), where you will find the requirement to be the payment of a tax of one-half of one per cent. on the net income.

The reason for this requirement is so plain that he who reads may run. It had its origin in the lease of 1870, and in the purpose to put the leasing company upon exactly the same footing in every particular as every other railroad in Georgia. Prior to 1873 no railroad in Georgia paid any ad valorem tax. Some had charter exemptions and some had not, but those who were not exempt were nevertheless not taxed, the policy being to treat all alike. The exemptions were all limited by the condition that they should pay a tax of one-half

of one per cent. on net income, and this tax was imposed upon all roads. When the road was leased in 1870, the rental was looked upon as equivalent to an interest charge on construction. This offset the fixed charges of other roads. To put the lessee on a basis of equality otherwise, it was provided:

And be it further enacted, That the said lessees shall never charge a higher rate of local freights on said road than the average rate charged by the Georgia Railroad & Banking Company, the Central Railroad & Banking Company and the Macon & Western Railroad Company, for like local freights over said roads; and said company shall have the same exemptions, privileges, immunities, rights and guarantees, and shall be subject to the same liabilities, disabilities, and public burdens of said railroad companies last mentioned, and no more, in all cases where this Act is silent and has made no provision on the subject.

When the lease Act of 1889 was passed the General Assembly found the lessee liable for the same tax as the old Central, and continued the liability in the language quoted in the beginning of this article.

The lessee then by the terms of the bargain should pay one-half of one per cent. on net income. It has never done so. The amount paid annually is less than the reports of the road show its liability to be. I presume that the company deducts the rental from the net income. "Net income" is a term of definite significance, and means the surplus above "operating expenses." Interest on funded debt and rental of the property are not

"operating expenses." This is well illustrated in the case of the Georgia Railroad & Banking Company, where the rental is not deducted. The purpose of the lease Act was to put all the roads on the same footing. It is immaterial whether the rental is paid to the State or some one else.

The tax on property not received from the State is based upon a like principle of equality to all. The rental is paid for the plant equipped as it was in 1870. Modern railroads demand and have equipments many times as valuable as that. It was thought fair to exempt the lessee from taxes on that part of its plant owned by and rented from the taxing power, but there was no more reason to exempt the lessee from taxes on other equipment, not derived from the taxing power, than there was to exempt from taxes on other roads it might own, as, for instance, the Rome road. The lessee pays an *ad valorem* tax on the Rome road, and should pay a tax exactly the same way upon personalty not hired from the State. The lease Act so requires, and it is so provided in the lease. Moreover, justice to its competitors require this exaction. Otherwise the principle of equality is violated.

That this class of property "owned or controlled" by the lessee is of great value is evident from its reports, where enormous sums are charged in its operating expenses for the hire of locomotives and other equipment, thus reducing the net income. Property thus in use in Georgia is taxable under the general law irrespective of

contract. The contract specifically provides for its taxation.

## II.

### IN THE MATTER OF SUBLEASING.

By the express provisions of section 11 of the lease Act, assented to in the lease, the lessee covenants that it "shall not sublet said road, or any part thereof, to any company, corporation or party."

What may have been the moving reason for this covenant I am only able to conjecture, and the reason for it is perhaps immaterial. I suggest, however, that one very good and sufficient reason lay in the obvious danger of resultant controversies and the litigation that was and is at all times likely to arise, involving the State. The contract of 1882 with the Memphis and Charleston is a case in point, and certain rights in the use of the right of way allowed the old Marietta and North Georgia was another. Be that as it may, the covenant was made.

The Seaboard Air Line Company runs its trains into the city over the tracks of the W & A. for about three miles, and apparently upon some contract or agreement with the lessee. The nature of that contract I am unable to state. I presume the lessee will furnish a copy of it upon request of the Governor. It is not easy to imagine any form of agreement that would not be in substance and effect a violation of the covenant.

The Louisville and Nashville Railroad Company runs



its trains, both freight and passenger in large numbers, from two separate lines over the Western & Atlantic tracks, and apparently by consent of and agreement with the lessee. One of these lines is the old Marietta & North Georgia, coming from Knoxville by Blue Ridge, in Fannin county, to Marietta. The other is a new line from Cincinnati by way of Wetmore in Tennessee and Cartersville. I am not able to state the nature of the agreement, but I would again suggest that it is hardly possible to conceive a reason why this is not a violation of the lease. It was conceded that the lease would be violated by an agreement as to the Belt Line crossing.

At the present time the Atlanta, Birmingham & Atlantic, a new road, is preparing to come into Atlanta over the W & A. tracks for two miles, and has already connected its line with the W & A. tracks at the two-mile post. This also is apparently by contract or agreement with the lessee, and is subject to the same covenant.

In the case of the A., B. & A. there is this further suggestion to be made, that at the two-mile post the State owns a lot of about two acres adjoining the right of way bought from Chapman Powell in 1857. This lot is vacant, except that the Southern Railway crosses it with several tracks near its eastern or northeastern side. In building to the Western & Atlantic tracks, the A., B. & A. has built across the Powell lot in a diagonal direction. I know of no authority for this seizure. Whether it was in any way authorized by the lessee or not I do not know, but apparently it was, as the lessee

was in possession and does not appear to have offered any objection.

All four of the roads mentioned appear to have obtained some sort of contractual rights in the use of the Union Depot.

In the case of the two L. & N. lines now using the Western & Atlantic, it seems proper to say that the use involves serious financial loss to the State of Georgia in several ways.

In the first place it enables these two lines to extend, one fifty miles and the other twenty miles, into Atlanta without the payment of any tax. I should estimate the annual loss to our revenues in this way at somewhere from five to ten thousand dollars or more.

In the second place it necessarily takes a considerable part of the lessee's volume of business, thus reducing its net income, and consequently the tax thereon. What reason may induce the lessee thus to assist a competitor at its own expense, I am not able to state, but it must be remembered that the L. & N. owns a majority of the stock of the lessee company, and consequently is able to control it. If in so doing, it does under the name of the L. & N. a business that would normally go to it under the name of the W & A., the difference in the volume of business may be immaterial to it. It is, however, quite material as a saving to it, and a loss to the State if the profits on this business are thereby relieved of the stipulated income tax.

Another and very serious loss to the State is in the injury to the commercial value of the W & A. R. R.

This road is one of the heaviest carriers of freight and passengers per mile of road in the United States. Its net earnings in 1903 went, according to the reports of the road, as high as \$955,000.00. Since then there has been some decline, but it is still a great money-maker. The value of the road, either to sell or lease, is heavily affected by anything that diverts its business to other lines.

There are other ways yet in which the interest of the State would seem to be suffering from these arrangements. Apparently they are in violation of the contract. Whether they are, in reality, so or not, will depend, I presume, upon the exact nature of the contract, and other facts exclusively in possession of the lessees and the using roads. The knowable facts are as I have stated them.

#### MISCELLANEOUS MATTERS.

There are many other matters seriously needing attention that I have not been able to investigate fully, and indeed was not called upon to go into. Some of them are as follows:

The L. & N. use of the right of way at Marietta, encroachments on the depot grounds by other roads at Cartersville and Kingston, the Southern's use of the W & A. yards at Dalton and various open questions about boundaries at different depots.

The city of Chattanooga owed the State \$5,500.00 for damages in opening Georgia avenue. There was a balance of \$1,250.00 due on this in 1896. I have no

evidence of this balance ever having been paid, and neither the Treasurer nor the Comptroller is able to inform me. I am not able to speak with absolute certainty about it, but it is one of the many matters needing to be looked after. The gentleman who, as attorney, represented the State in Tennessee in this matter, writes me that one of his partners at the time has since died and another has been elevated to the Court of Appeals, that his office and files have been destroyed, and that he can not give full information. He does remember, however, and states, that the city of Chattanooga did not pay all of the award, the reason being that the lessee company was in possession of some other street belonging to the city.

The explanation is not entirely clear, but it will require a longer and more tedious examination of the facts than is now possible, and the matter hardly comes within the scope of the present inquiry. I call attention to it merely because it has incidentally attracted my attention and seems to warrant further inquiry..

From 1893 to 1900 many small encroachments by private parties on the right of way were dealt with, and in a large number of cases written acknowledgments were taken, the encroachers being in many cases permitted to remain in possession. I have not been able to find these papers, and no officer at the capitol is able to inform me of them.

During the past twenty years there have been many

controversies in courts concerning the right of way and other properties of the W & A. R. R., in the course of which much valuable testimony has been found, including early maps identified by witnesses then living, who served the road in its infancy. In some cases the original engineers testified. In some cases testimony was taken *de bene esse*. Nearly all these papers, maps and documents have disappeared. Many of the witnesses have since died, and the testimony can not be replaced. I hand you herewith a voluminous original report of testimony and the award of a commission in 1895 in a controversy between the State and the Central Railroad touching valuable property in Atlanta. This finding of the commission is worth many thousands to the State, and this record is the only evidence of it. I found it in possession of private persons in Atlanta. The testimony recorded in it is of inestimable value. Unfortunately, valuable maps referred to in it can not be found. I believe the law does not specifically charge any person with the custody of these documents.

It is greatly to be regretted that there is not some provision made for the systematic care of these records, and I am convinced that the losses to the State from the want of some provision on the subject have been very great.

Respectfully submitted,

HOOVER ALEXANDER.

June 22, 1908.

By unanimous consent the following bill was read the first time, to wit:

By Mr. Trent of Heard—

A bill to create the city court of Franklin.

Referred to Committee on Corporations.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Hall of Bibb—

A resolution to make House bill No. 593 the special order for Friday, July 24.

The following bills were read the first time by unanimous consent, to wit:

By Mr. Crawford of Bartow—

A bill to amend section 2059 of the Civil Code.

Referred to the General Judiciary Committee.

By Mr. Edmondson of Chattooga—

A resolution to pay pension to Mrs. Eliza Lee.

Referred to Committee on Pensions.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Messrs. Duggan and Walker of Washington—

A bill to provide for the election of a judge and solicitor of the city court of Sandersville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Townsend of Clinch—

A bill to create the city court of Homerville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Pope of Dade—

A resolution to authorize the county authorities of Dade county to relieve J. R. Brock, T. F. Smith, Geo. W. Cureton et al. as sureties on the bond of John M. Castleberry.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 95, nays 4.

The resolution having received the requisite constitutional majority was passed.

By unanimous consent the following bills were read the second time, to wit:

By Messrs. Cook, Stubbs and McIntyre—

A bill to authorize the trustees of the State University to permit the board of education of Thomasville to use certain realty.

By Mr. Reid of Macon—

A bill to amend an Act to create the city court of Oglethorpe.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Wilson of Gwinnett—

A resolution to make House bill No. 176 the special order for July 27.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following House bill, to wit:

A bill to extend the time within which work shall be commenced on the Georgia Southwestern and Gulf Railroad, and for other purposes.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following Senate bill, to wit:



A bill to incorporate the city of Lavonia, in the county of Franklin.

On motion of Mr Holder the special continuing order was again taken up for a further consideration, to wit:

By Mr. Holder of Jackson—

A bill to provide for the hire of certain felony convicts for a period of five years, and to provide for working certain other convicts on the public roads and public works of this State, and for other purposes.

The Speaker again resolved the House into a committee of the whole, and Mr. Dunbar of Richmond, resumed the chair.

After a consideration of the bill the committee arose, and through its chairman reported progress, and asked leave to sit again.

By unanimous consent the following bill was taken up and read the third time and put upon its passage, and the morning's session was extended until the same could be disposed of, to wit:

By Mr. Slade of Muscogee—

A bill to be entitled an Act to amend the Constitution of the State of Georgia by repealing section 1 of article 2 of the Constitution of this State, and inserting in lieu thereof a new section consisting of 9 paragraphs prescribing the qualifications for electors, providing for the registration of voters and for other purposes.

SECTION I. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the au-

thority of the same, That section 1 of article 2 of the Constitution of this State be, and the same is, hereby repealed, and the following section, consisting of nine paragraphs, be inserted in said article in lieu thereof:

PARAGRAPH 1. After the year 1908, elections by the people shall be by ballot, and only those persons shall be allowed to vote who have been first registered in accordance with requirements of law.

PAR. 2. Every male citizen of this State who is a citizen of the United States twenty-one years old or upwards, not laboring under any of the disabilities named in this article, and possessing the qualifications provided by it, shall be an elector, and entitled to register and vote at any election by the people; provided, that no soldier, sailor or marine in the military or naval service of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State.

PAR. 3. To entitle a person to register and vote at any election by the people, he shall have registered in the State one year next preceding the election, and in the county in which he offers to vote six months next preceding the election, and shall have paid all taxes which may have been required of him since the adoption of the Constitution of Georgia of 1877, that he may have had an opportunity of paying agreeably to law. Such payment must have been paid at least six months prior to the election at which he offers to vote, except when such elections are held within six months from the expiration of the time fixed by law for the payment of such taxes.

PAR. 4. Every male citizen of this State shall be entitled to register as an elector and to vote in all elections

in said State who is not disqualified under the provisions of section 2 of article 2 of this Constitution, and who possesses the qualifications prescribed in paragraphs 2 and 3 of this section, or who will possess them at the date of the election occurring next after his registration, and who, in addition thereto, comes within either of the classes provided for in the five following subdivisions of this paragraph :

(1) All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War or in the War of 1812, or in the war with Mexico, or in any war with the Indians, or in the war between the States, or in the war with Spain, or who honorably served in the land or naval forces of the Confederate States or of the State of Georgia in the war between the States, or (2) all persons lawfully descended from those embraced in the classes enumerated in the subdivision next above, or (3) all persons who are of good character and understand the duties and obligations of citizenship under a republican form of government, or (4) all persons who can correctly read in the English language any paragraph of the Constitution of the United States, or this State, and correctly write the same in the English language when read to them by any one of the registrars, and all persons who solely, because of physical disability, are unable to comply with the above requirements, but who can understand and give a reasonable interpretation of any paragraph of the Constitution of the United States, or of this State, that may be read to them by any one of the registrars, or (5) any person who is the owner in good faith in his own right of at least forty acres of land situated in this State upon which he resides, or is the owner in good faith in his own right of property

situated in this State and assessed for taxation at the value of \$500.00.

PAR. 5. The right to register under subdivisions one and two of paragraph 4 shall continue only until January 1, 1915, but the registrars shall prepare a roster of all persons who register under subdivisions one and two of paragraph 4, and shall return the same to the clerk's office of the superior court of their counties, and the clerks of the superior courts shall send copies of the same to the Secretary of State, and it shall be the duty of these officers to record and permanently preserve these rosters; any person who has been once registered under either of the subdivisions one or two of paragraph 4, shall thereafter be permitted to vote, provided he meets the requirements of paragraphs 2 and 3 of this section.

PAR. 6. Any person to whom the right of registration is denied by the registrars upon the ground that he lacks the qualifications set forth in the five subdivisions of paragraph 4, shall have the right to take an appeal, and any citizen may enter an appeal from the decision of the registrars, allowing any person to register under said subdivisions; all appeals must be filed in writing with the registrars within ten days from the date of the decision complained of, and shall be returned by the registrars to the office of the clerk of the superior court to be tried as other appeals.

PAR. 7. Pending an appeal and until the final decision of the case, the judgment of the registrars shall remain in full force.

PAR. 8. No person shall be allowed to participate in a primary of any political party or a convention of any political party in this State who is not a qualified voter.

PAR. 9. The machinery provided by law for the registration, of force October 1, 1908, shall be used to carry out the provisions of this section, except where inconsistent with same the Legislature may change or amend the registration laws from time to time, but no such change or amendment shall operate to defeat any of the provisions of this section.

SEC. 2. Be it further enacted That whenever the above proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two houses of the General Assembly, and the same has been entered on their Journals with the ayes and nays taken thereon, the Governor shall cause said amendment to be published in at least two newspapers in each congressional district in this State for the period of two months next preceding the time of holding the next general election.

SEC. 3. Be it further enacted That the above proposed amendment shall be submitted for ratification or rejection to the electors of this State at the next general election to be held after publication, as provided in the second section of this Act, in the several election districts of this State, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly. All persons voting at said election in favor of adopting the proposed amendment to the Constitution shall have written or printed on their ballots the words, "For amendment of the Constitution providing qualification of voters," and all persons opposed to adoption of said amendment shall have written or printed on their ballots the words, "Against Amendment of Constitution providing qualifications of voters."

SEC. 4. Be it further enacted That the Governor be, and he is hereby authorized and directed to provide for the submission of the amendment proposed in this Act to a vote of the people as required by the Constitution of this State in paragraph 1 of section 1 of article 13, and if ratified the Governor shall, when he ascertains such ratification from the Secretary of State to whom the returns shall be referred in the manner as in cases of elections for members of the General Assembly, to count and ascertain the result, issue his proclamation for one insertion in one of the daily papers of this State, announcing such result and declaring the amendment ratified.

SEC. 5. Be it further enacted That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The above was an engrossed bill.

An amendment to the Constitution being proposed by the above bill, the ayes and nays were ordered on its passage, and the vote was as follows

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Bond,	Cook of Telfair,
Adams of Elbert,	Bowen,	Cooke of Thomas,
Adkins,	Brown of Oglethorpe,	Covington,
Alexander,	Buchannon,	Couch,
Allen,	Burkhalter,	Cowan,
Anderson of Bulloch,	Burwell,	Crawford,
Anderson of Cobb,	Butt,	Culbreth,
Atkinson,	Calbeck,	Daniel,
Ballard,	Candler,	Davis,
Barksdale,	Cannon,	Davison,
Barrett,	Clark,	Dean,
Barrow,	Clifton,	Dickey,
Blackburn,	Cook of Chat'hoochee,	Dorminy,

Dunbar,	Kendrick,	Shaw,
Duggan,	Lee,	Simmons,
Eaves,	Lively,	Slade,
Edmondson,	Lunsford,	Slater,
Edwards,	McCarthy,	Smith of Campbell,
Ellison,	McIntyre,	Stewart,
Estes,	McMahan,	Strickland,
Fagan,	McMichael,	Stubbs,
Flanders,	McMullan,	Sumner,
Fowler,	McWilliams,	Thorne,
Fraser,	Martin,	Thurman,
Frier,	Massengale,	Tift,
Fullbright,	Mercer,	Tracy,
Gibson,	Moore,	Trent,
Glenn,	Mundy,	Tuggle,
Guyton,	Nix,	Tyson,
Hall,	Orr,	Walker of Wash'ton,
Harris,	Parker,	Watkins,
Heard,	Parrish,	White of Screven,
Hill,	Persons,	Whitley,
Holder,	Peterson,	Wise,
Hubbard,	Pope of Brooks,	Wootten,
Huie,	Pope of Dade,	Wright of Floyd,
Hullender,	Powell,	Wright of Richmond,
Jackson,	Reid of Macon,	Wynne,
Johnson of Towns,	Reid of Wilcox,	Young,
Keith,	Rogers,	Mr. Speaker.
Kendall,	Russell,	

Those voting in the negative were Messrs.—

Johnson of Jasper,

Those not voting were Messrs.—

Adams of Wilkinson,	Chamlee,	Goode,
Arnold,	Collum,	Hamilton,
Ashley,	Crumbly,	Hardeman,
Atwater,	Donalson,	Haywood,
Austin,	Dykes,	Hines,
Bell,	Flannigan,	Howard,
Berry,	Foster,	Huff,
Boyd,	Furr,	Johnson of Jeff Davis,
Brown of Carroll,	Geer,	Jones of Meriwether,
Callaway,	Godley,	Jones of Mitchell,

Lumsden,	Price of Bartow,	Taylor of Sumter,
Matthews,	Price of Oconee,	Terrell,
MacFarland,	Reid of Putnam,	Townsend,
Maxwell,	Rountree,	Walker of Lowndes,
Mays,	Ryals,	Walker of Milton,
Morris,	Sheffield,	Ward,
Nowell,	Smith of Calhoun,	Warnell,
Odum,	Stephens,	White of Madison,
Payton,	Swilling,	Williams,
Perry,	Taylor of Appling,	Wilson,

The roll call was verified, and on counting the votes cast it was found that the ayes were 122, nays 1.

The bill having received the necessary two-thirds majority, was passed, and the same was ordered to be spread in full upon the Journal.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Thursday, July 23, 1908.

The House met pursuant to adjournment at 9 o'clock a. m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings was dispensed with.

The following resolution was read, to wit:



By Mr. Perry of Hall—

A resolution providing for a committee of conference of fifteen members of the House, representing the views of both sides of the convict lease bill, whose duty it shall be to consider and perfect as near as possible the convict bill and report to the House not later than 12 o'clock m. to-day

The previous question was called, and the main question ordered.

On the adoption of the resolution the ayes were 42, nays 111. The resolution was therefore lost.

The following joint resolution was read, to wit:

By Mr. Moore of Cherokee—

A resolution providing that when the House adjourns to-morrow it stands adjourned until Monday, August 3.

The above resolution was ordered to lay on the table one day.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Dorminy—

A bill to amend an Act to incorporate Fitzgerald.

Referred to Committee on Corporations.

By Mr. Cook of Chatta'hoochee—

A bill to amend the charter of the town of Cusseta.

Referred to Counties and County Matters Committee.

By Mr. Edwards of Habersham—

A bill to amend an Act relative to the fees of oil inspectors.

Referred to Special Committee on Agriculture.

By Messrs. Walker and Ashley of Lowndes—

A bill to amend an Act to incorporate the city of Valdosta.

Referred to Special Judiciary Committee.

By Mr. Whitley—

A bill to amend an Act to create a new charter for the town of Douglasville.

Referred to Committee on Corporations.

By Mr. Lumsden—

A bill to authorize passengers occupying lower berths on sleeping-cars to control upper berths.

Referred to Committee on Railroads.

By Mr. Lumsden—

A bill to prohibit manufacture and sale of cigarettes and cigarette papers in Georgia.

Referred to Special Judiciary Committee.

By Mr. Pope of Brooks—

A bill to regulate logcarts, etc., running on roads and bridges of Lowndes county.

Referred to Counties and County Matters Committee.

By Mr. Payton of Worth—

A bill to amend section 4398 of the Code relative to practice of law.

Referred to Special Judiciary Committee.

By Mr. Payton—

A bill to amend section 75, volume 1, of the Code, defining who shall be subject to road tax.

Referred to Special Judiciary Committee.

By Mr. Payton—

A bill to amend article 2, section 1, paragraph 2, of the Constitution relative to electors' oath, etc.

Referred to Committee on Constitutional Amendments.

By Messrs. Matthews and Clark—

A bill to incorporate the town of Rockledge.

Referred to Committee on Corporations.

By Mr. Kendrick—

A bill to prohibit the sale of burglars' tools, etc.

Referred to General Judiciary Committee.

By Mr. Hardeman—

A bill to create a system of public schools for town of Spread.

Referred to Committee on Education.

By Mr. Hardeman—

A bill to amend the primary election laws of Georgia.

Referred to General Judiciary Committee.

By Messrs. Allen, Dunbar and Wright of Richmond—

A bill to provide for appointment of fish warden for Savannah River.

Referred to Committee on Fish and Game.

By Mr. Parrish—

A bill to extend the corporate limits of town of Adel.

Referred to Committee on Corporations.

By Mr. Barrow—

A bill to amend an Act, approved August 17, 1903, to revise and consolidate laws of force for protection of game and fish.

Referred to Committee on Game and Fish.

By Mr. Hardeman—

A bill to create a system of public schools for town of Bartow.

Referred to Committee on Education.

By Mr. Clifton—

A bill to amend an Act to create a system of public schools for town of Vidalia.

Referred to Committee on Education.

By Mr. Ellison—

A resolution to pay pension to Mrs. Nancy M. Collier.

Referred to Committee on Pensions.

By Messrs. Taylor and Dykes—

A bill to amend an Act creating a board of commissioners of roads and revenues for county of Sumter.

Referred to Counties and County Matters Committee.

By Mr. Hardeman—

A bill to amend an Act to increase the membership of the Railroad Commission.

Referred to General Judiciary Committee.

By Mr. Hardeman—

A bill to amend section 2185 of Civil Code relative to suspension of Railroad Commissioner by the Governor.

Referred to General Judiciary Committee.

By Mr. Buchannon—

A bill to amend an Act to create the city court of Blakely.

Referred to Special Judiciary Committee.

Mr. Blackburn, chairman of the Special Judiciary Committee, submitted the following report :

*Mr. Speaker:*

Your Commtee on Special Judiciary has had under consideration the following House bills, and as its chairman I am directed to report the same back with recommendation as follows:

House bill No. 1034, entitled an Act to amend an Act incorporating the town of Perry in Houston county, do pass.

House bill No. 1044, entitled an Act to abolish the county court of Houston county, do pass.

House bill No. 760, entitled an Act to repeal an Act amending an Act to establish the city court of Eastman, do pass.

House bill No. 830, entitled an Act to establish the city court of St. Marys, in Camden county, do pass by substitute.

House bill No. 1038, entitled an Act to establish a city court in and for the county of Houston, do pass.

House bill No. 990, entitled an Act to amend the Act creating the city court of Brunswick, do pass.

Also House bill No. 1040, entitled an Act to fix the time for holding the superior courts in the various counties composing the Alapaha circuit, do pass.

House bill No. 1035, entitled an Act to create and organize a new judicial circuit of the superior courts to be known as Alapaha circuit, do pass.

House bill No. 1015, to be entitled an Act to regulate the practice of professional piano tuners, do pass.

House bill No. 1045, entitled an Act to provide for the defining and reestablishing the boundary lines between certain counties in this State, do pass.

All of which is respectfully submitted,

R. B. BLACKBURN, Chairman.

July 21, 1908.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House, and direct me as their chairman to report same back with the following recommendations, to wit:

Do pass.

A bill entitled an Act to amend the charter of the city of Brunswick.

An Act to amend the charter of the town of Kirkwood.

An Act to create a board of commissioners of roads and revenues in Glynn county

An Act incorporating the city of Brunswick.

Do pass as amended.

An Act entitled an Act to re-incorporate the town of Adel, in Berrien county.

Do pass.

An Act to re-incorporate the town of Adel.

Do not pass.

An Act to incorporate the town of Hudsonville.

Do pass.

An Act to incorporate the town of Cedar Grove.

An Act to amend the charter of the city of Athens.

An Act to incorporate the town of East Lake, in DeKalb county.

An Act to abolish the board of commissioners of roads and revenues for the county of Hart.

An Act to create the office of county commissioners of roads and revenues for Hart county.

An Act to incorporate the town of Primrose.

An Act to amend the charter of the city of Gainesville.

Respectfully submitted,

HAL G. NOWELL, Chairman.

Mr Wright of Richmond, chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker.*

Your Committee on General Judiciary having had under consideration the following bills of the Senate, instructed me as their chairman to report same back to the House with the recommendation that same do pass, to wit:



A bill to prescribe the duties of electric telegraph companies as to receiving and transmitting dispatches, and for other purposes.

Respectfully submitted,

BOYKIN WRIGHT,  
Chairman.

Mr. Candler, chairman of the Committee on Appropriations, submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations have had under consideration the following bills and resolutions, and instruct me as their chairman to report the same back with the following recommendations:

To appropriate money for Confederate States cemetery at Marietta; do pass as amended.

To make appropriation to the Soldiers' Home, do pass.

To appropriate \$10,000 to Dr. R. J. Massey; do not pass.

To pay W. L. Michael certain money; do not pass.

To make appropriation for Georgia Library Commission, do not pass.

To appropriate \$25,000 to establish a tuberculosis sanitarium; do pass.

To appropriate \$10,000 for establishing a crude cottonseed oil refinery in the Technological School; do not pass.

To pay for copying pension rolls; do pass.

To improve Indian Spring property; do pass as amended.

The committee recommends that the author be allowed to withdraw the following:

To create a sanitarium for incipient tuberculosis.

The committee refers the following back to the House, and recommends they be recommitted to the Special Judiciary Committee:

To pay J. L. Martin, and for other purposes.

To pay W. L. Williamson, and

recommends that the following be recommitted to the Committee on Pensions:

To pay pension of J. U. Parker.

Respectfully submitted,

C. M. CANDLER, Chairman.

Mr. Whitley of Douglas, chairman of the Committee on Hygiene and Sanitation, submitted the following report:

*Mr. Speaker:*

The Committee on Hygiene and Sanitation has had under consideration the following Senate Resolution, and instructs me as its chairman to report the same back to the House with the recommendation that it do pass, to wit:

A resolution urging Congress to establish a national health bureau.

Respectfully submitted,

T. R. WHITLEY, Chairman.

Mr. Alexander, chairman of the Committee on the Western & Atlantic Railroad, submitted the following report:

*Mr Speaker:*

Your Committee on the Western & Atlantic Railroad beg leave to report that they have had under consideration House bill No. 132 authorizing the town of Calhoun to construct a railroad crossing in the limits of said town, and report the same back with the recommendation that it do pass as amended by the committee.

ALEXANDER, Chairman.

Mr. Parker, chairman of the Committee on Enrollment, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to wit:

An Act to provide for confirming and validating all bonds issued by counties and municipalities since the Constitution of 1877.

An Act to amend an Act creating a board of commissioners of roads and revenues for the county of Putnam, approved September 8, 1879, and for other purposes.

The Committee on Enrollment has also examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following resolutions, to wit:

A resolution to approve the application of the board of trustees of the University of Georgia for admission of the University of Georgia and such of its colleges and technical schools for participation in the rights and privileges of the Carnegie Foundation.

A resolution relieving Terrell county from State tax on four dispensaries in 1907.

The Committee on Enrollment has also examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to wit:

An Act to amend an Act creating the charter of the town of Cordele, in the county of Crisp, and for other purposes.

An Act to amend an Act incorporating the city of Vienna, approved December 10, 1901.

An Act to extend the time in which work shall be commenced on the Georgia, Southwestern and Gulf Railroad, and for other purposes.

An Act to amend an Act incorporating the town of Cordele, in the county of Crisp.

An Act to authorize the road commissioners of Cherokee county to order and have held an election by the qualified voters of said county, and for other purposes.

An Act to repeal an Act, approved August 6, 1870,

making the public roads of Terrell county twenty feet wide.

An Act to make certain appropriations to the State University for the use of the State Technological School.

An Act to amend an Act entitled an Act to create a board of commissioners of roads and revenues for Glascock county.

An Act to prohibit the employment of inexperienced persons as engineers, and for other purposes.

An Act to make certain appropriations to the University of Georgia for the benefit of the State Normal School at Athens.

An Act to amend an Act, approved August 19, 1907, to create a board of commissioners of Monroe county.

An Act to amend an Act to create and incorporate the Haralson School District.

An Act to amend an Act incorporating the town of Center, county of Jackson.

An Act to appropriate the sum of \$10,000 to the University of Georgia.

Mr. McMichael, chairman of the Committee on Education, submitted the following report:

*Mr Speaker:*

Your Committee on Education has considered the following bills, and instructs me as its chairman to report as follows:

Senate bill No. 84, do pass.

House bill No 960, do pass.

House bill No. 917, do pass.

Respectfully submitted,

E. H. McMICHAEL, Chairman.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Mr White of Madison—

A bill to make the bill providing for election of county school commissioners the special order for July 29.

By Mr. Burkhalter—

A resolution to make House bill No. 377 the special order for the 27th instant.

The following resolutions were read and ordered to lay on the table one day, to wit:

By Mr. Huff of Lumpkin—

A resolution calling on Hon. Jos. M. Brown to furnish certain information to the General Judiciary Committee.

By unanimous consent the following bills were read the second time and recommitted, to wit:

By Mr. Fullbright—

A bill to amend an Act to create the city court of Waynesboro.

Recommitted to Special Judiciary Committee.

By Messrs. Heard and Adkins—

A bill to authorize the mayor and council of Barnesville to issue bonds.

Recommitted to the Committee on Corporations.

The following bills were read the second time, to wit:

By Mr. Whitley—

A bill to establish a sanitarium for consumptives.

By Messrs. Davis and Fagan—

A bill to amend an Act to incorporate the town of Perry.

By Messrs. Ward, Townsend, Johnson of Jeff Davis, Bowen and Parish—

A bill to create and organize a new judicial circuit to be known as the Alapaha circuit.

By Messrs. Davis and Fagan —

A bill to abolish the county court of Houston county.

By Mr. Flanders—

A bill to create a system of public schools for Wrightsville.

By unanimous consent House resolution No. 39 was recommitted to the Committee on Appropriations.

On motion of the author, House resolutions Nos. 92 and 93 were taken from Committee on Appropriations and re-referred to the Committee on Special Judiciary.

On motion of the author House resolution No. 19 was taken from the Committee on Appropriations and re-referred to the Committee on Pensions.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. Maxwell of Twiggs—

A bill to repeal an Act to create the city court of Jeffersonville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 112, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Cooke, Stubbs and McIntyre—

A bill to instruct the trustees of the State University to turn over to the board of education of Thomasville certain realty, and for other purposes.

The substitute proposed by the committee was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill the ayes were 112, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Perry of Hall—

A bill to amend the charter of the city of Gainesville.



The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Slater of Bryan moved that on to-morrow the committee of the whole proceed to vote upon the convict lease bill, which motion prevailed:

Mr. Slater then moved that individual speeches be limited to 20 minutes, which motion also prevailed.

On motion of Mr. Holder the special order was again taken up, to wit:

By Mr. Holder—

A bill to provide for the hire of the labor of certain felony convicts for a term of five years, and to work certain other convicts on the public roads.

The Speaker again resolved the House into a committee of the whole, and Mr. Dunbar resumed the chair.

After a consideration of the bill the committee arose and reported progress, and asked leave to sit again.

Upon the request of Mr. Nowell House bill No. 167 was taken from the General Judiciary Committee and re-referred to the Committee on Corporations.

By unanimous consent the following bills were read the second time, to wit:

By Mr. McMahan—

A bill to amend the charter of Athens, Ga.

By Mr. Lee—

A bill to amend the charter of Brunswick.

By Mr. Lee—

A bill to amend an Act to incorporate the city of Brunswick.

By Mr. Lee—

A bill to amend an Act to create the city court of Brunswick.

By Mr. Lee—

A bill to amend an Act to create a board of commissioners of roads and revenues for Glynn county.

By Mr. Williams of Dodge—

A bill to repeal an Act to amend an Act to create the city court of Eastman.

By Mr. McMullan—

A bill to create a board of commissioners of roads and revenues for Hart county.

By Mr. McMullan—

A bill to abolish board of commissioners of roads and revenues for Hart county

By Mr. Parish—

A bill to amend an Act to re-incorporate town of Adel so as to provide for public schools.

By Mr. Parish—

A bill to amend an Act to re-incorporate the town of Adel relative to certiorari.

By unanimous consent the following bills were read the second time and re-committed, to wit:

By Mr. McCarthy—

A bill to create a county police force for Chatham county.

By Mr. McWilliams—

A bill to amend an Act to amend the laws incorporating the town of McDonough.

By Mr. McWilliams—

A bill to repeal an Act to create the county court of Henry county.

By Messrs. Blackburn and Bell—

A bill to amend an Act to create the charter of College Park.

By Messrs. Blackburn and Bell—

A bill to amend Act creating charter of College Park so as to issue bonds.

By Messrs. Blackburn and Bell—

A bill to amend Act creating charter of College Park so as to establish public schools.

By unanimous consent the following bill was read the first time, to wit:

By Mr. Rogers of Randolph—

A bill to amend an Act to create a board of commissioners of roads and revenues for Randolph county.

Referred to Counties and County Matters Committee.

By Mr. Smith of Campbell—

A bill to prohibit the sale of near beer in Campbell county.

Referred to Committee on Corporations.

By unanimous consent the following Senate bill was read the first time, to wit

By Mr. Camp of 31st District—

A bill to incorporate the city of Lavonia.

Referred to Committee on Corporations.

By unanimous consent the following Senate bill was read the third time and put upon its passage, to wit:

By Mr. Crittenden of 11th District—

A bill to amend the charter of the town of Shellman.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

Leave of absence was granted to Mr. Kendrick of Taliaferro.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

ATLANTA, GA.,

Friday, July 24, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the roll call and the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Perry of Hall, moved that the House reconsider its action of yesterday in instructing the Committee of the Whole to limit debate on the convict bill, and also the time when the measure should be brought to a vote. The motion was lost.

The following resolution was read and adopted, to wit

By Mr. Fullbright—

A resolution fixing the order of business for to-morrow's session, to wit:

1. Introduction of new matter.
2. Reports of standing committees.
3. Reading local House bills second time.
4. Reading local House bills third time.
5. Reading Senate bills first time.

6. Reading local Senate bills second time.
7. Reading local Senate bills third time.
8. Reading House bills favorably reported second time.
9. Concurrence in Senate amendments to local bills.

Mr. Whitley, chairman of the Committee on Hygiene and Sanitation, submitted the following report:

*Mr Speaker.*

Your Committee on Hygiene and Sanitation have had under consideration the following bills, which they instruct me to report back with recommendation that they do pass, to wit:

A bill to require the registration of births.

A bill to amend an Act to more thoroughly carry into effect the pure food law.

Respectfully submitted,

T R. WHITLEY, Chairman.

Mr. Nowell, chairman of the Committee on Corporations, submitted the following report:

*Mr Speaker.*

Your Committee on Corporations has under consideration the following Senate and House bills, and direct me as their chairman to report same back with the following recommendation, to wit:

Do pass; Senate bill.

An Act to incorporate the city of Lavonia, Franklin county.

House bills; do pass.

An Act amending an Act making it illegal to procure money on a contract with intent to defraud.

An Act to provide for the incorporation of mutual aid, benefit and industrial life insurance companies.

Do not pass.

An Act incorporating the city of Senoia.

Do pass.

An Act to amend an Act to establish the city court of Douglas.

An Act to authorize the mayor and council of the town of Byromville to issue bonds.

Do pass as amended.

An Act to establish the city court of Franklin, in and for the county of Heard.

Do pass.

An Act to amend the charter of the town of Cusseta.

An Act to amend an Act incorporating the city of Fitzgerald.

An Act to amend an Act creating a new charter for the town of Douglasville.

An Act to incorporate the town of Rockledge.

An Act to change and extend the corporate limits of the town of Adel.

An Act to prohibit the sale of Bud beer or near beer in Campbell county.

Respectfully submitted,

HAL G. NOWELL, Chairman.

By unanimous consent the following bills were read the second time, to wit:

By Messrs. Alexander and Candler—

A bill to amend the charter of the town of Kirkwood.

By Mr. Williams of Dodge—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Dodge.

By Messrs. Alexander and Candler—

A bill to incorporate the town of East Lake.

By Mr. Matthews—

A bill to incorporate the town of Cedar Grove.

By Messrs. Jones and Keith—

A bill to incorporate the town of Primrose.

By Mr. Cook of Chattahoochee—

A bill to amend the charter of the town of Cusseta.



By Mr. Dorminy—

A bill to amend an Act to incorporate the city of Fitzgerald.

By Mr. Whitley—

A bill to amend an Act to create a new charter of the town of Douglasville.

By Messrs. Matthews and Clark—

A bill to incorporate the town of Rockledge.

By Mr. Smith of Campbell—

A bill to prohibit the sale of near beer in Campbell county.

By Mr. Parish—

A bill to extend the corporate limits of the town of Adel.

By Messrs. Heard and Adkins—

A bill to authorize the town of Byromville to issue bonds.

By unanimous consent the following bill was read the third time, to wit:

By Mr. Godley of Camden—

A bill to create the city court of St. Marys.

The substitute offered by the committee was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 94, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By unanimous consent the following Senate bill was read the second time, to wit:

By Mr. Camp of 31st District—

A bill to incorporate the city of Lavonia.

On motion of Mr. Holder, Mr. Alexander of DeKalb, was allowed thirty minutes in which to debate the convict bill in the Committee of the Whole, and the House so instructed the committee.

On motion of Mr. Holder the Speaker resolved the House into a committee of the whole for the purpose of again considering the following special order, to wit:

By Mr. Holder of Jackson—

A bill to provide for the hire of the labor of certain felony convicts for a term of five years, and for the working of other convicts on the public roads of this State, and for other purposes.

The Speaker resolved the House into a committee of the whole, and Mr. Dunbar took the chair.

After a consideration of the bill the committee arose, and through its chairman reported progress, and asked leave to sit again.

After a consideration of the bill the committee arose, reported progress, and asked leave to sit again.

On motion of Mr. Hall of Bibb, the session of the

House was extended until 1:30 o'clock for the purpose of disposing of the "convict bill."

On motion of Mr. Holder, the Speaker again resolved the House into the committee of the whole, and Mr. Dunbar resumed the chair

After a further consideration of the bill the committee arose, and through their chairman reported the same back with the recommendation that it do pass, by substitute as amended.

Mr. Perry, of Hall, moved that 200 copies of the substitute as amended to the convict bill be printed, which motion prevailed.

Leave of absence was granted Messrs. Burkhalter, Adkins and Clifton.

Mr. Butt of Fannin, moved to adjourn, which motion prevailed, and the Speaker announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Saturday, July 25, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day, was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the roll call and the reading of the Journal of yesterday's proceedings was dispensed with.

The order of business, as fixed on yesterday, was read, and the following bills were introduced and read the first time, to wit:

By Messrs. Candler, Atkinson, Sumner, Dykes, Nowell, Edwards, Ward, et al.—

A bill to amend an Act to make appropriations for the ordinary expenses of the State government, and for other purposes.

Referred to Committee on Appropriations.

By Mr. McWilliams—

A bill to amend an Act to remove obstructions from streams of Henry county.

Referred to Committee on General Agriculture.

By Messrs. Martin, McMullan and Candler—

A bill to appropriate certain moneys to the University of Georgia.

Referred to Committee on Appropriations.

By Mr. McCarthy—

A bill to create the office of State boiler inspector.

Referred to General Judiciary Committee.

By Mr. Brown of Carroll—

A bill to amend an Act to incorporate the town of Temple.

Referred to Committee on Corporations.

By Mr. Furr—

A bill to provide for a board of commissioners of roads and revenues for Banks county.

Referred to Counties and County Matters Committee.

Mr. Wright of Richmond, chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary, having had under consideration the following bill of the House, instructed me as their chairman to report the same back to the House with the recommendation that the same do pass by substitute, to wit.

A bill to codify the laws of Georgia.

Respectfully submitted,

BOYKIN WRIGHT,

Chairman.

Mr. Martin, chairman of the General Agriculture Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on General Agriculture has had under consideration the following bill of the House, and instruct me as its chairman to report the same back with the recommendation that it do pass as amended, to wit:

A bill to regulate the sale, inspection and analysis of commercial fertilizers, etc.

Also the following Senate bill with the recommendation that it do pass, as amended, to wit:

A bill to prohibit unfair commercial discrimination between different sections, etc.

Respectfully submitted,

L. H. O. MARTIN, Chairman.

Mr. Adams of Chatham, acting chairman of the Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary, having had under consideration the following bills of the House, instructed me as their acting chairman to report the same back to the House with the recommendation that same do pass, to wit:

A bill to regulate practice in cases of garnishment.

A bill to amend article 3, section 7, paragraph 18, of the Constitution relative to granting charters.

A bill to amend section 4550, Code 1895, relative to attachments.

A bill to amend section 4518, Code 1895, relative to return of attachment.

Also the following House bill with the recommendation that same do pass as amended, to wit:

A bill to amend section 4514, Code 1895, relative to sureties on bonds.

Respectfully submitted,

A. P. ADAMS, Acting Chairman.

The following bills were read the third time and put upon their passage, to wit:

By Mr. Dorminy—

A bill to amend an Act to incorporate the city of Fitzgerald.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 115, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Williams of Dodge—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Dodge.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Flanders—

A bill to create a system of public schools for city of Wrightsville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 125, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Alexander and Candler—

A bill to amend the charter of the town of Kirkwood.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 115, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lee of Glynn—

A bill to amend the charter of the city of Brunswick.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Lee—

A bill to amend an Act to incorporate the city of Brunswick.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.



By Mr. Lee—

A bill to amend an Act to create a board of commissioners of roads and revenues for Glynn county.

The report of the committee, which was favorable to the passage of the bill was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McMahan—

A bill to amend the charter of the city of Athens.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Matthews—

A bill to incorporate the town of Cedar Grove.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Alexander and Candler—

A bill to incorporate the town of East Lake.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Davis and Fagan—

A bill to amend an Act to incorporate the town of Perry.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cook of Chattahoochee—

A bill to amend the charter of the town of Cusseta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 119, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McMullan—

A bill to create the office of commissioner of roads and revenues for Hart county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 125, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Smith of Campbell—

A bill to prohibit the sale of near beer in the county of Campbell.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Whitley—

A bill to amend an Act to create a new charter for the town of Douglasville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Parish—

A bill to extend the corporate limits of the town of Adel.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McMullan—

A bill to abolish the board of commissioners of roads revenues for Hart county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Heard and Adkins —

A bill to authorize the mayor and council of Byromville to issue bonds.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 119, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Matthews and Clark—

A bill to incorporate the town of Rockledge.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 107, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Jones and Keith—

A bill to incorporate the town of Primrose.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 114, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Parish of Berrien—

A bill to amend an Act to re-incorporate the town of Adel relative to certioraris.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 119, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Parish—

A bill to re-incorporate the town of Adel so as to provide for a system of public schools.

The committee proposed to amend by striking the

word "active" in line 2, section 7, and insert the word "accurate;" also by striking the word "nine" in line 3, section 10, and insert the word "ten;" also by striking the words "should the mayor and council decide to do" in line 6 of section 11.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

Under the fixed order of business the following bills were read the second time, to wit:

By Mr. Burkhalter—

A bill to regulate the sale, inspection and analysis of commercial fertilizers.

By Mr. McMahan—

A bill to require the State Librarian to furnish one copy of every State publication to the State University.

By Mr. Calbeck—

A bill to authorize the construction of a street crossing over the tracks of the W & A. R. R. in the town of Calhoun.

By Mr. Johnson of Jasper—

A bill to amend an Act to make it illegal to procure money on a contract with intent to defraud.

By Messrs. McMahan, Holder and Flannigan—

A bill to regulate the business of assessment and mutual cooperative fire insurance companies, etc.

By Mr. Mays of Butts—

A bill to appropriate \$3,000 for improving the State's property at Indian Spring.

By Mr. Tift of Dougherty—

A bill to require the registration of births in Georgia.

By Mr. Brown of Carroll—

A bill to amend section 1110, volume 3, of the Code.

By Messrs. Morris of Wayne, McMichael, Donalson and Adams of Chatham—

A bill to provide that the State School Commissioner shall be ex-officio secretary of the State Board of Education, etc.

By Mr. Nowell—

A bill to provide for the incorporation of mutual aid, benefit and industrial life insurance companies.

By Mr. Buchannon—

A bill to regulate the practice of professional piano tuners.

By Messrs. Blackburn and Bell—

A bill to appropriate \$5,000 to the Confederate Soldiers' Home.

By Mr. Wright of Floyd—

A bill to amend the pure food law.

By Messrs. Davis and Fagan—

A bill to create the city court of Houston county.

By Messrs. Ward of Coffee, et al.—

A bill to fix the time for holding the superior courts in the Alapaha circuit.

By Messrs. Maxwell and Twiggs—

A bill to establish certain county lines, etc.

By Mr. Hall of Bibb—

A bill to authorize the construction of dams across non-navigable streams.

By Mr. Davison of Greene—

A resolution for the relief of J. W. Turner.

By Mr. Davison—

A resolution to pay Mrs. L. H. Ledsinger for copying pension rolls.

By Mr. Barrow—

A bill to regulate practice in cases of garnishment.

By Mr. Barrow—

A bill to amend article 3, section 7, paragraph 18 of the Constitution.



By Mr. Barrow—

A bill to amend section 4550 of the Code.

By Mr. Barrow—

A bill to amend section 4518 of the Code.

By Mr. Barrow—

A bill to amend section 4514 of the Code.

The following Senate bills were read the first time, to wit:

By Mr. Lashley of 40th District—

A bill to prevent taking fish from Brasstown Creek in Towns and Union counties.

Referred to Committee on Corporations.

By Mr. Wilkes of 7th District —

A bill to incorporate the town of Kingwood.

Referred to Committee on Corporations.

The following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Camp of 31st District—

A bill to incorporate the city of Lavonia.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

The following bill was taken up, and the Senate amendment concurred in, to wit:

By Mr. Reid of Putnam—

A bill to create a new charter for the town of Eatonton.

The following Senate amendments were adopted, to wit:

To amend section 27, sub-section 3 by inserting after word "defeat" in line 8, the following words: "Provided same can be done on terms deemed reasonable by council."

The House proposed the following amendment to the Senate amendment, to wit:

To amend by numbering section 27, section 26, and by numbering the remaining sections accordingly.

Leave of absence was granted Mr. Prescott and Mr. Cook of Telfair.

The order of business for to-day's session having been completed the Speaker announced the House adjourned until 10 o'clock Monday morning.

ATLANTA, GA.,

MONDAY, July 27, 1908.

The House met pursuant to adjournment at 10 o'clock, a.m., this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of Saturday's proceedings was dispensed with.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Cook of Telfair—

A bill to amend an Act to create a system of public schools in the town of Lumber City.

Referred to Special Judiciary Committee.

By Mr. Kendall—

A bill to repeal an Act to create local tax district schools, etc.

Referred to Committee on Education.

By Mr. Smith of Campbell—

A bill to amend the Constitution of this State so as to prohibit the leasing of convicts.

Referred to Committee on Constitutional Amendments.

By Mr. White of Madison—

A bill to create the city court of Danielsville.

Referred to Special Judiciary Committee.

By Mr. Ellison—

A resolution to pay L. H. Zachry, of Harris county.  
\$450.00.

Referred to Committee on Appropriations.

By Mr. Blackburn—

A bill to incorporate the city of Bolton.

Referred to Special Judiciary Committee.

By Mr. Brown of Carroll—

A bill to amend sections 90 and 91 of volume 1 of the  
Code.

Referred to Committee on Privileges and Elections.

By Mr. Ellison—

A bill to amend section 472 of the Political Code.

Referred to General Judiciary Committee.

By Mr. White of Madison—

A bill to abolish the city court of Madison county.

Referred to Special Judiciary Committee.

By Mr. White of Madison—

A bill to incorporate the city of Danielsville.

Referred to Committee on Corporations.

By Messrs. Young and Tuggle—

A bill to amend the charter of the town of Hogansville.

Referred to Special Judiciary Committee.

By Mr. Sheffield—

A bill to create the new county of Georgia.

Referred to Committee on Constitutional Amendments.

By Messrs. Flannigan and Holder—

A bill to amend the charter of the city of Winder.

Referred to Committee on Corporations.

By Mr. Fullbright of Burke—

A bill to amend the charter of the city of Waynesboro.

Referred to Committee on Corporations.

The following telegram was read, to wit :

ATHENS, GA., July 27, 1908.

*John M. Slaton, Speaker House of Representatives, Atlanta, Ga..*

Mr. George Houser, Doorkeeper, died this morning. Funeral here Tuesday, ten-thirty.

HINTON BOOTH.

The following resolution was read and adopted, to wit :

By Mr. McMahan—

A resolution tendering the sympathy of the House to

the family of George Houser, deceased doorkeeper of the House.

Mr. Davison, acting chairman of Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters has had under consideration House bills Nos. 975, 1073, 976, 766, 994, 1039, 1078, and instructs me as their chairman to report the same back with the recommendation that the same do pass.

R. E. DAVISON, Acting Chairman.

July 24, 1908.

By unanimous consent the following bills were read the third time and put upon their passage, to wit

By Mr. McWilliams—

A bill to amend an Act to amend and consolidate the Acts to incorporate the town of McDonough.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McWilliams—

A bill to amend an Act to amend and consolidate the Acts to incorporate the town of McDonough, so as to change the corporate name from "town" to "city."

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Townsend of Clinch—

A bill to abolish the county court of Clinch county

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Williams of Dodge—

A bill to repeal an Act to create the city court of Eastman.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bowen of Tift—

A bill to amend an Act entitled an Act to amend an Act to create and establish the city court of Tifton.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 107, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr Bowen of Tift—

A bill to change the time of holding the superior court of Tift county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McCarthy—

A bill to create a county police force for the county of Chatham.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent House bills Nos. 926 and 1028, and Senate bill No. 196, were recommitted.

The following resolution was read and referred to the Committee on Rules, to wit :



By Mr. Barrow—

A resolution to make House bills Nos. 848, 850, 852, 853 and 854 the special continuing orders for Thursday, July 30th.

The following bill was read the second time, to wit :

By Mr. Lee of Glynn—

A bill to amend an Act to authorize the commissioners of roads and revenues of Glynn county to issue bonds.

The following Senate bill was read the second time by unanimous consent, to wit :

By Mr. Stephens of the 1st district—

A bill to authorize judges of city courts in certain counties to appoint special bailiffs.

The following message was received from the Senate through Mr. Northen, Secretary thereof :

*Mr Speaker*·

The Senate has passed by the requisite constitutional majority the following House bill, to wit :

A bill to provide for the collection of past due taxes to the State, counties and municipalities.

The Senate has passed, as amended, by the requisite constitutional majority, the following House bill, to wit :

A bill to prohibit the catching of shad or other fish with driftnets.

The following message was received from the Senate through Mr. Northen, Secretary thereof :

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following Senate bills, to wit :

A bill to require all births of children to be reported to the ordinaries of the several counties.

A bill to amend an Act to create a new charter for the city of Dublin.

A bill to quiet the title to real estate in Georgia held under foreign wills.

A bill to amend an Act to establish the city court of Quitman, in and for the county of Brooks.

The Senate has concurred in the amendment of the House to the following bill of the Senate, to wit :

A bill to amend an Act to establish the city court of Dublin.

Mr. Holder of Jackson called for the special continuing order, which is as follows, to wit :

By Mr. Holder of Jackson—

A bill to provide for the hire of the labor of certain felony convicts for the term of five years, and for the working on the public roads of certain other convicts, and for other purposes.

The substitute proposed by the committee of the whole house was first taken up for consideration, and on motion

of Mr. Holder it was ordered that each section be acted on separately. Mr. Wise of Fayette then moved that the rules be suspended and that individual speeches on any section or amendment thereto be limited to five minutes, which motion prevailed.

The following amendments to the above substitute were adopted, to wit

By Mr. Blackburn—

To amend section 1 of substitute as amended by adding the words, "provided, that the trial judge shall have the discretion of sending any person convicted of a misdemeanor to the State farm."

The following amendment was offered:

By Mr. Alexander of DeKalb—

To amend by striking all after the word "convicts" in line 21 and substituting therefor the following: "In any case where any committee of the House or Senate, or of the General Assembly, has found and reported, or shall hereafter find or report that cruelty or oppression has been practiced upon or against any convict, in or upon the work or premises of any person or corporation hiring or using the labor of convicts, at any time since the first day of April, 1899, and in any case where the facts have been brought to the attention of the Prison Commission, which, in the judgment of the members thereof, or any of them, show that such cruelty or oppression has been so practiced in or upon such work or premises within said time, the Commission shall not receive any bid from such person or corporation under this Act, nor hire the labor of any convict to such person or corporation, unless such

person or corporation shall prove to the complete satisfaction of each and every member of the Commission that no officer or employee of such person or corporation was concerned in such cruelty or oppression, but that the same was practiced exclusively by some officer, agent or employee of the State, and that such officer, agent or employee of the State was not then, or at any time while he was so in the service of the State receiving any pay or other compensation from such person or corporation in addition to what he was receiving from the State; or unless such person or corporation shall prove to the complete satisfaction of each and every member of the Commission that he or it immediately ceased to pay such extra compensation and reported such cruelty or oppression to the Prison Commission; and in all such cases the Prison Commission shall cause a full record of all the facts to be put upon the minutes. And if any person shall knowingly procure and contract under this Act directly or indirectly for the use or benefit of any such person or corporation so prohibited, or for the use or benefit of any corporation in which stock is held by any person who at the time of such cruelty or oppression, also a stockholder in any other corporation hereby disqualified as a lessee, such person so offending shall be guilty of a high misdemeanor, and the disqualified person or corporation taking any benefit under his action shall likewise be guilty of a high misdemeanor; and each and every person or corporation so offending shall, upon conviction, be fined not less than \$5,000, nor more than \$20,000, and the natural person so convicted shall likewise be punished by imprisonment in the penitentiary for not more than one year. All fines imposed under this section shall be disposed of, one-half as fines and forfeitures, and the other half shall go to the support of the district agricultural high schools."

The previous question was called and the main question ordered.

On the adoption of the amendment Mr. Alexander called for the ayes and nays, and on taking the ballot viva voce the vote was as follows :

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Eaves,	Payton,
Alexander,	Edwards,	Perry,
Anderson of Cobb,	Ellison,	Persons,
Arnold,	Gibson,	Pope of Dade,
Atkinson,	Guyton,	Reid of Putnam,
Ballard,	Hamilton,	Rogers,
Berry,	Hill,	Shaw,
Bowen,	Hines,	Sheffield,
Burwell,	Jones of Mitchell,	Smith of Calhoun,
Candler,	Kendall,	Smith of Campbell,
Clark,	Lively,	Stubbs,
Cook of Chat'hoochee,	Lumsden,	Sumner,
Cook of Telfair,	Lunsford,	Walker of Milton,
Cooke of Thomas,	Matthews,	Ward,
Covington,	McIntyre,	White of Screven,
Cowan,	Massengale,	Williams,
Daniel,	Mays,	Wright of Floyd,
Dean,	Moore,	Wynne,
Dickey,	Nowell,	Young,
Duggan,		

Those voting in the negative were Messrs.—

Adams of Elbert,	Brown of Carroll,	Davison,
Adams of Wilkinson,	Brown of Oglethorpe,	Donalson,
Allen,	Butler,	Dunbar,
Ashley,	Calbeck,	Dykes,
Austin,	Callaway,	Edmondson,
Barrett,	Cannon,	Estes,
Barrow,	Collum,	Fagan,
Bell,	Couch,	Flannigan,
Blackburn,	Crawford,	Fowler,
Bond,	Culbreth,	Frier,
Boyd,	Davis,	Furr,

Glenn,	McMahan,	Swilling,
Godley,	McMichael,	Taylor of Appling,
Goode,	McMullan,	Taylor of Sumter,
Hall,	McWilliams,	Terrell,
Harris,	Martin,	Thurman,
Haywood,	Maxwell,	Tift,
Heard,	Nix,	Townsend,
Holder,	Parrish,	Tracy,
Hubbard,	Peterson,	Tuggle,
Huff,	Pope of Brooks,	Tyson,
Huie,	Price of Bartow,	Walker of Lowndes,
Hullender,	Price of Oconee,	Walker of Wash'ton,
Jackson,	Reid of Macon,	Warnell,
Johnson of Jasper,	Rountree,	Watkins,
Johnson of Towns,	Russell,	White of Madison,
Jones of Meriwether,	Ryals,	Whitley,
Keith,	Slade,	Wilson,
Kendrick,	Stewart,	Wise,
MacFarland,	Strickland,	Wright of Richmond,
McCarthy,		

Those not voting were Messrs.—

Adkins,	Foster,	Odum,
Anderson of Bulloch,	Fraser,	Orr,
Atwater,	Fullbright,	Parker,
Barksdale,	Geer,	Powell,
Buchannon,	Hardeman,	Reid of Wilcox,
Burkhalter,	Howard,	Simmons,
Chamlee,	Johnson of Jeff Davis,	Slater,
Clifton,	Lee,	Stephens,
Crumbley,	Mercer,	Thorne,
Dorminy,	Morris,	Trent,
Flanders,	Mundy,	Wootten,

The roll-call was verified, and on counting the votes cast it was found that the ayes were 58, nays 91.

The amendment was therefore lost.

Further consideration to amendments to section 1 of the substitute was postponed on motion of Mr. Holder, in order that some amendment might be drawn which would be accepted by both sides of the question.

Mr. Wright of Floyd proposed to amend by adding to the end of section 6 the following: "No guard shall be employed or retained who does not totally abstain from the use of intoxicating liquors as a beverage."

Before the above amendment could be voted on the hour of adjournment arrived.

Leave of absence was granted Messrs. Moore of Cherokee and Godley of Camden.

Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Tuesday, July 28, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

Mr. Rountree of Emanuel, moved to dispense with the roll call, and no quorum having voted the Speaker directed that the roll be called to ascertain if a quorum was present. Those answering to their names were as follows:

The roll was called and the following members answered to their names

Adams of Chatham,	Adkins,	Anderson of Bulloch,
Adams of Elbert,	Alexander,	Anderson of Cobb,
Adams of Wilkinson,	Allen,	Arnold,

Ashley,	Duggan,	Lee,
Atkinson,	Dykes,	Lively,
Atwater,	Eaves,	Lumsden,
Austin,	Edmondson,	Lunsford,
Ballard,	Edwards,	Matthews,
Barksdale,	Ellison,	MacFarland,
Barrett,	Estes,	McCarthy,
Barrow,	Fagan,	McIntyre,
Bell,	Flanders,	McMahan,
Berry,	Flannigan,	McMichael,
Blackburn,	Foster,	McMullan,
Bond,	Fowler,	McWilliams,
Bowen,	Fraser,	Martin,
Boyd,	Frier,	Massengale,
Brown of Carroll,	Fullbright,	Maxwell,
Brown of Oglethorpe,	Furr,	Mays,
Buchannon,	Geer,	Mercer,
Burkhalter,	Gibson,	Moore,
Burwell,	Glenn,	Morris,
Butt,	Godley,	Mundy,
Calbeck,	Goode,	Nix,
Callaway,	Guyton,	Nowell,
Candler,	Hall,	Odum,
Cannon,	Hamilton,	Orr,
Chamlee,	Hardeman,	Parker,
Clark,	Harris,	Parrish,
Clifton,	Haywood,	Payton,
Collum,	Heard,	Perry,
Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbley,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell,
Dickey,	Jones of Mitchell,	Ryals,
Donalson,	Keith,	Shaw,
Dorminy,	Kendall,	Sheffield,
Dunbar,	Kendrick,	Simmons,



Slade,	Thorne,	Watkins,
Slater,	Thurman,	White of Madison,
Smith of Calhoun,	Tift,	White of Screven,
Smith of Campbell,	Townsend,	Whitley,
Stephens,	Tracy,	Williams,
Stewart,	Trent,	Wilson,
Strickland,	Tuggle,	Wise,
Stubbs,	Tyson,	Wooten,
Sumner,	Walker of Lowndes,	Wright of Floyd,
Swilling,	Walker of Milton,	Wright of Richmond,
Taylor of Appling,	Walker of Wash'ton,	Wynne,
Taylor of Sumter,	Ward,	Young,
Terrell,	Warnell,	Mr. Speaker.

By unanimous consent the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following resolution was read and adopted, to wit

By Mr. Candler—

A resolution giving the commission to investigate the prison department, the authority to employ an expert accountant to examine the books of the Prison Commission, and the books of the State Farm and Reformatory at Milledgeville.

On motion of Mr. Candler the above resolution was ordered immediately transmitted to the Senate.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Mr. Payton —

A resolution to fix House bill No. 362 as a special order.

By Mr. Huie—

A resolution to fix House bill No. 562 as a special order.

By unanimous consent the following bills were read third time and put upon their passage, to wit:

By Messrs. Davis and Fagan—

A bill to abolish the county court of Houston county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent it was agreed that the last ten minutes of the session be devoted to the introduction of new matter, reading of House bills a second time, and the reading of reports of standing committees.

By unanimous consent the following bill was read the second time, to wit:

By Mr. Dunbar of Richmond—

A bill to authorize the railroad corporations of this State to change, re-locate and re-align and rebuild its line of road, and for other purposes.

By Messrs. Davis and Fagan—

A bill to create the city court of Houston county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Wright of Richmond, chairman of Committee on General Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on General Judiciary having had under consideration the message of the Governor, dealing with the suspension of Railroad Commissioner Joseph M. Brown, instructed me, as their chairman, to report same back to the House with the recommendation that no further action be taken thereon.

Also the following bill of the House with the recommendation that the same do pass as amended, to wit:

A bill to amend section 4046, Code of 1895.

Respectfully submitted,

BOYKIN WRIGHT, Chairman.

Messrs. Hall, Smith of Campbell, and Warnell, of the General Judiciary Committee, submitted the following minority report, to wit:

*Mr. Speaker:*

We, the undersigned members of the General Judiciary Committee of the House, submit the following minority report upon the message of the Governor giving his reasons for the removal of the Hon. Jos. M. Brown as Rail-

road Commissioner, which message was by the House referred to the General Judiciary Committee for examination and report. We are unable to concur in the report submitted by a majority of the committee for the reason that we do not think that the reasons assigned by the Governor for his action in suspending from his office the Hon. Jos. M. Brown, the Railroad Commissioner, are sufficient in law to have authorized him in taking the action which he did. We are forced to the conclusion that the reasons given by the Governor are totally insufficient and are not such as under the law authorized him to remove the above-named officer from his office. We are compelled to find and report that in taking the action which he did he acted without authority of law. We therefore submit to the House for its approval the following resolution

*Resolved*, That the reasons assigned by the Governor in his special message to the General Assembly, for the removal of Hon. Jos. M. Brown, Railroad Commissioner, were not sufficient to have authorized him to have exercised the power conferred by the statute.

*Resolved further*, That the reasons assigned by the Governor are not sufficient to authorize the General Assembly to remove from his office the Hon. Jos. M. Brown.

*Resolved further*, That the reasons assigned by the Governor for the removal of Hon. Jos. M. Brown are not sufficient in law to justify the House of Representatives in the impeachment of said officer.

JOS. H. HALL,  
E. L. SMITH,  
W. G. WARNELL.

Mr. Perry, chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. Speaker.*

The Committee on Amendments to the Constitution beg to report that having the same under consideration recommend with regard to the following bills, that House bill 982 (an amendment providing against future leasing of convicts or their labor), do pass by substitute.

That House bill 829 do not pass.

That House bill 861 do not pass.

That House bill 897 do not pass.

H. H. PERRY, Chairman.

Mr. Covington, chairman of the Committee on Railroads, submitted the following report:

*Mr. Speaker.*

Your Committee on Railroads having had under consideration House bill No. 782, beg leave to return the same, with the recommendation that the same do pass.

W. A. COVINGTON, Chairman.

July 27, 1908.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Adams of Chatham—

A resolution to make House bill No. 47 a special order.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Eaves of Haralson—

A bill to fix the salary of the treasurer of Haralson county

Referred to Counties and County Matters Committee.

By Messrs. Alexander and Candler—

A bill to create a system of public schools for the town of Lithonia.

Referred to Committee on Corporations.

By unanimous consent House bills Nos. 982, 22 and 20 were made the special order to immediately follow the convict lease bill.

By unanimous consent the following bills were read the second time, to wit :

By Mr. Hardeman—

A bill to create a system of public schools for the town of Bartow.

By Mr. Hardeman—

A bill to create a system of public schools for the town of Spread.

The above two bills were recommitted.

By Mr. Trent—

A bill to create and establish the city court of Franklin.

By Messrs. Taylor and Dykes—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Sumter.

On motion of Mr. Kendrick of Taliaferro, House bill No. 1063 was taken from the Committee on General Judiciary and rereferred to the Committee on General Agriculture.

The following petition from the Federation of Labor of Georgia was read, to wit

*To the Honorable House of Representatives.*

We the Federation of Labor of Georgia, respectfully petition your honorable body to abolish the lease system. We heartily favor the enforcement of law and the maintenance of order, but we believe the administration of penal laws through the leasing of convicts to private parties is fundamentally wrong, and is necessarily accompanied by abuses which should be eliminated.

We respectfully suggest that the convicts of the State might be put upon the public roads without producing unfair competition with any one, and with the result of diminishing the cost of transportation to every farmer in the State, and rendering accessible to those living in congested cities the quieter and more healthful rural homes.

We have an abiding confidence that this Legislature, representing the people of this State, and reflecting their judgment and conscience will abolish the present method of leasing convicts, and as the representatives of the workmen, we add our petition to the others received.

Respectfully submitted.

JEROME JONES,  
Chairman Legislative Committee.

W. M. GREDIG,  
Vice-Chairman.

A. L. HEADINGTON,  
Legislative Committee.

B. LEE SMITH, President.

W. C. PUCKETT,  
Secretary-Treasurer Georgia Federation of Labor.

The following petition from the Atlanta Federation of Trades was read :

*To the Honorable House of Representatives of Georgia.*

We, the Atlanta Federation of Trades, respectfully petition you to assist in the abolishment of the lease system. We heartily favor the enforcement of law and the maintenance of order, but we believe the administration of penal laws through the leasing of convicts to private parties is fundamentally wrong and is necessarily accompanied by abuses which should be eliminated.

We respectfully suggest that the convicts of the State might be put upon the public roads without producing unfair competition with any one, and with the result of diminishing the cost of transportation to every farmer in the State, and rendering accessible to those living in congested cities the quieter and more healthful rural homes.

We have an abiding confidence that this Legislature, representing the people of this State, and reflecting their judgment and conscience, will abolish the present method of leasing convicts, and as the representatives of the workmen, we add our petition to the others received.

Respectfully submitted.

ARTHUR ARDERY, President.

WADE P HARDING, Secretary.

WADE P HARDING, Chairman.

A. F. McCABE.

PAT. MURREY.

The following message was received from the Senate through Mr. Northen, Secretary thereof :

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following House bill, to wit :



A bill to incorporate the city of Blue Ridge in the county of Fannin.

The Senate has passed, as amended, by the requisite constitutional majority, the following House bill, to wit:

A bill to amend the charter of the city of Rome.

The Senate has passed by the requisite constitutional majority the following bill of the Senate, to wit:

A bill to repeal an Act to provide for the change of county lines lying within the limits of incorporated towns and cities.

Mr. Holder called for the special order which was under consideration when the House adjourned on yesterday to wit:

By Mr. Holder of Jackson—

A bill to provide for the hire of the labor of certain felony convicts for a term of five years; to provide for the working of certain other convicts on the public roads, and for other purposes.

The substitute offered by the committee of the whole was again taken up and considered by sections.

The following amendments were offered, to wit:

By Messrs. McFarland and Perry—

To amend section 10 by striking out the words at the end, "to be disposed of as the law directs for the hire of misdemeanor convicts," and substituting the words, "to be placed in the county treasury after paying any costs

due the officers of the court in the particular cases only in which the hire arises."

The previous question was called and the main question ordered.

On the adoption of the above amendment the ayes and nays were ordered, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Wilkinson,	Fowler,	Mundy,
Adkins,	Frier,	Parker,
Alexander,	Fullbright,	Payton,
Anderson of Cobb,	Furr,	Perry,
Atkinson,	Gibson,	Peterson,
Ballard,	Glenn,	Pope of Brooks,
Berry,	Goode,	Pope of Dade,
Bond,	Hall,	Powell,
Buchannon,	Harris,	Price of Bartow,
Burwell,	Haywood,	Price of Oconee,
Candler,	Hill,	Reid of Putnam,
Clark,	Hubbard,	Reid of Wilcox,
Clifton,	Huie,	Rogers,
Cooke of Thomas,	Hullender,	Rountree,
Covington,	Jackson,	Ryals,
Couch,	Kendall,	Shaw,
Cowan,	Kendrick,	Smith of Campbell,
Crawford,	Lee,	Stephens,
Daniel,	Lively,	Strickland,
Davis,	Lumsden,	Stubbs,
Dean,	Lunsford,	Sumner,
Dickey,	Matthews,	Swilling,
Donaldson,	MacFarland,	Taylor of Appling,
Dorminy,	McIntyre,	Terrell,
Duggan,	McNahan,	Thurman,
Edwards,	McMichael,	Tracy,
Estes,	McMullan,	Trent,
Fagan,	Massengale,	Tyson,
Flanders,	Maxwell,	Walker of Milton,
Flannigan,	Mays,	Walker of Wash'ton,
Foster,	Morris,	Watkins,

White of Madison,	Williams,	Wright of Floyd.
White of Screven,	Wilson,	Wynne,
Whitley,	Wootten,	Young,

Those voting in the negative were Messrs.—

Adams of Chatham,	Dunbar,	Orr,
Adams of Elbert,	Dykes,	Parrish,
Allen,	Eaves,	Persons,
Arnold,	Edmondson,	Reid of Macon,
Ashley,	Geer,	Russell,
Barksdale,	Guyton,	Slade,
Barrett,	Hamilton,	Smith of Calhoun,
Barrow,	Hardeman,	Stewart,
Bell,	Heard,	Taylor of Sumter.
Blackburn,	Hines,	Thorne,
Boyd,	Holder,	Tift,
Brown of Carroll,	Huff,	Townsend,
Brown of Oglethorpe,	Johnson of Jasper,	Tuggle,
Butt,	Johnson of Towns,	Walker of Lowndes,
Calbeck,	Jones of Meriwether	Ward,
Callaway,	McCarthy,	Warnell,
Chamlee,	McWilliams,	Wise,
Crumbley,	Nix,	Wright of Richmond.
Davison,	Nowell,	

Those not voting were Messrs.—

Anderson of Bulloch,	Culbreth,	Martin,
Atwater,	Ellison,	Mercer,
Austin,	Fraser,	Moore,
Bowen,	Godley,	Odum,
Burkhalter,	Howard,	Sheffield,
Cannon,	Johnson of Jeff Davis,	Simmons,
Collum,	Jones of Mitchell,	Slater,
Cook of Chat'hoochee,	Keith,	Mr. Speaker.
Cook of Telfair,		

The roll-call was verified, and on counting the votes cast it was found that the ayes were 102, nays 56.

The amendment was therefore adopted.

By Messrs. Dean and Flanders—

To amend section 11 by adding at the end thereof the following words: "Provided, that whipping or similar corporal punishment shall not be inflicted upon any convict."

The previous question was called and the main question ordered.

On the adoption of the above amendment the ayes and nays were ordered, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Alexander,	Edwards,	Massengale,
Anderson of Cobb,	Estes,	Parrish,
Barrett,	Flanders,	Payton,
Barrow,	Fullbright,	Perry,
Bell,	Geer,	Pope of Dade,
Berry,	Gibson,	Smith of Campbell,
Bond,	Glenn,	Stephens,
Bowen,	Hamilton,	Stubbs,
Buchannon,	Huff,	Terrell,
Chamlee,	Hullender,	Thurman,
Cooke of Thomas,	Johnson of Towns,	Trent,
Covington,	Kendall,	Walker of Milton,
Cowan,	Lee,	White of Screven,
Dean,	Lunsford,	Williams,
Dickey,	McCarthy,	Wilson,
Dorminy,	McIntyre,	Wright of Floyd,
Duggan,	McMahan,	Wright of Richmond,
Dykes,	McMullan,	Wynne,
Eaves,		

Those voting in the negative were Messrs.—

Adams of Chatham,	Allen,	Atkinson,
Adams of Elbert,	Anderson of Bulloch,	Ballard,
Adams of Wilkinson,	Arnold,	Barksdale,
Adkins,	Ashley,	Blackburn,

Boyd,	Haywood,	Reid of Putnam,
Brown of Carroll,	Hill,	Reid of Wilcox,
Brown of Oglethorpe,	Holder,	Rogers,
Butt,	Huie,	Rountree,
Calbeck,	Jackson,	Russell,
Callaway,	Johnson of Jasper,	Ryals,
Candler,	Jones of Meriwether	Slade,
Clark,	Keith,	Stewart,
Clifton,	Kendrick,	Strickland,
Couch,	Lively,	Sumner,
Crawford,	Lumsden,	Swilling,
Culbreth,	Matthews,	Taylor of Appling,
Daniel,	MacFarland,	Taylor of Sumter,
Davison,	McMichael,	Thorne,
Donalson,	McWilliams,	Tift,
Edmondson,	Maxwell,	Townsend,
Fagan,	Mundy,	Tuggle,
Flannigan,	Nix,	Tyson,
Foster,	Nowell,	Walker of Lowndes,
Fowler,	Orr,	Walker of Wash'ton,
Fraser,	Parker,	Ward,
Frier,	Persons,	Warnell,
Furr,	Peterson,	Watkins,
Goode,	Pope of Brooks,	White of Madison,
Guyton,	Powell,	Whitley,
Hall,	Price of Bartow,	Wise,
Hardeman,	Price of Oconee,	Wooten,
Harris,	Reid of Macon,	Young,

Those not voting were Messrs.—

Atwater,	Ellison,	Moore,
Austin,	Godley,	Morris,
Burkhalter,	Heard,	Odum,
Burwell,	Hines,	Shaw,
Cannon,	Howard,	Sheffield,
Collum,	Hubbard,	Simmons,
Cook of Chat'hoochee,	Johnson of Jeff Davis,	Slater,
Cook of Telfair,	Jones of Mitchell,	Smith of Calhoun,
Crumbley,	Martin,	Tracy,
Davis,	Mays,	Mr. Speaker.
Dunbar,	Mercer,	

On motion of Mr. Huff of Lumpkin the verification of the roll-call was dispensed with.

On the adoption of the amendment the ayes were 55, nays 96.

The amendment was therefore lost.

Mr. Wright of Floyd proposed to amend section 14 by striking the words "December 1, 1911," and inserting in lieu thereof the words "March 31, 1911."

Before the above amendment could be disposed of the hour for the special order arrived and the following bills were read the first time, to wit:

By Mr. Price of Bartow—

A resolution to pay Chas. Goode, of Bartow county, \$50.00.

Referred to Committee on Appropriations.

By Mr. Adams—

A bill to allow certain cities to maintain farms for criminals.

Referred to Special Judiciary Committee.

The following bills were read the second time, to wit:

By Mr. Pope of Brooks—

A bill to regulate logcarts, traction engines, etc., running on the public roads and bridges of Brooks county.

By Mr. Eaves—

A bill to incorporate the Waco school district in Har-  
alson county.

By Mr. McMahan—

A bill to amend section 940, volume 1 of the Code.

By Mr. Payton—

A bill to amend section 4046 of the Code, volume 2.

By Mr. Ward of Coffee—

A bill to amend an Act entitled an Act to amend an Act to establish the city court of Douglas.

By Mr. Tyson—

A bill to prescribe the manner in which real estate belonging to the county of Emanuel shall be sold.

By Mr. Rogers of Randolph—

A bill to amend an Act to create a board of commissioners of roads and revenues for Randolph county

By unanimous consent the following resolutions were read and referred to the Committee on Rules, to wit:

By Mr. Mundy—

A resolution to make House bill No. 37 a special order.

By Mr. McWilliams—

A resolution to make House bill No. 976 a special order.

By Mr. Buchannon—

A bill to amend an Act to create the city court of Blakely.

By Mr. Orr—

A bill to create the city court of Newnan.

By Mr. Wynne—

A bill to amend an Act to create the county court of Pulaski county.

By Messrs. Walker and Ashley—

A bill to amend an Act to incorporate the city of Valdosta.

Mr. Davison, acting chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr Speaker:*

Your Committee on Counties and County Matters has had under consideration House bills Nos. 969, 1059 and 1049, and instructs me as their chairman to report the same with recommendation they do pass.

R. E. DAVISON, Acting Chairman.

July 27, 1908.

Mr. Blackburn, chairman of the Special Judiciary Committee, submitted the following report:

*Mr Speaker:*

Your Committee on Special Judiciary has had under consideration the following House bills, and as its chairman I am directed to report the same back with the recommendation as follows, to wit:



House bill No. 1000, entitled an Act to amend an Act creating a new charter for the city of Atlanta, and for other purposes.

Do pass.

House bill 1024, an Act to amend the charter of College Park, Fulton county.

Do pass.

House bill 1025, entitled an Act to amend an Act creating charter for College Park, Fulton county.

Do pass.

House bill 1023, entitled an Act creating charter for College Park, Fulton county.

Do pass.

Also House bill 1053, entitled an Act incorporating the city of Valdosta.

Do pass.

House Bill No. 926, entitled an Act to amend the county court Act so far as applies to Pulaski county.

Do pass.

House bill 1069, entitled an Act to amend Act establishing city court of Blakely, in Early county

Do pass.

House bill 1012, entitled an Act to establish city court of Waynesboro.

Do pass.

House bill No. 997, entitled an Act to establish the city court of Newnan, and for other purposes.

Do pass.

All of which is respectfully reported.

R. B. BLACKBURN, Chairman.

July 28, 1908.

Leave of absence was granted Messrs. Simmons and Burkhalter.

Mr. Ryals then moved to adjourn, which motion prevailed, and the Speaker announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Wednesday, July 29, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following Senate bill was read the first time, to wit:

By Mr. Felder of 22d district—

A bill to quiet the title to real estate held under foreign wills.

Referred to General Judiciary Committee.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. Eaves of Haralson—

A bill to incorporate the Waco school district.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Davison of Greene—

A resolution for the relief of J. W. Turner, of Greene county.

Mr. Wise proposed to amend by striking the words "from any funds in the hands of the county treasurer," and insert "from fines and forfeitures fund."

The amendment was adopted.

The report of the committee, which was favorable to the passage of the resolution, was agreed to.

On the passage of the resolution the ayes were 101, nays 0.

The resolution having received the requisite constitutional majority was passed as amended.

By Mr. Lee of Glynn—

A bill to authorize the commissioners of roads and revenues of Glynn county to issue bonds.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Trent of Heard—

A bill to create the city court of Franklin.

Mr. Trent proposed to amend by striking the words “\$600” in line 33, section 12, and insert “\$500.”

The amendment was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Hardeman—

A bill to create a system of public schools for the town of Spread.

The committee proposed to amend by striking all the words beginning with the word “all” in section 7, line 9, and ending with word “necessary,” in line 13.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 102, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Fullbright—

A bill to amend an Act to create the city court of Waynesboro.

Mr. Fullbright proposed to amend by striking the words "third Monday" in last line of section 1 and inserting "fourth Monday."

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Gibson of Glascock—

A bill to change the time of holding the superior court of Glascock county

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 109, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wynne of Pulaski—

A bill to amend an Act to create the county court of Pulaski county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 105, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Taylor and Dykes of Sumter—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Sumter.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 107, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hardeman of Jefferson—

A bill to create a system of public schools for the town of Bartow

The committee proposed to amend by adding a caption to the beginning of bill.

Also, to amend by striking from section 7, line 9, all after the word "town," and including the word "necessary" in line 14.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By unanimous consent the following bills were read the first time, to wit:

By Messrs. Heard and Adkins—

A bill to amend an Act to increase the membership of the Railroad Commission.

Referred to Committee on Railroads.

By Mr. Mundy—

A resolution directing the Attorney General to recover salaries of wardens, deputy wardens, etc.

Lay on table one day

The following bill was read the second time and recommitted, to wit:

By Mr. Blackburn—

A bill to provide that the registration lists in primary elections in certain counties shall close thirty days before election.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Townsend and others—

A resolution to fix House bills Nos. 1035 and 1040 special orders.

Mr. McMichael, chairman of the Committee on Education, submitted the following report:

*Mr. Speaker.*

Your Committee on Education has had under consideration the following House bills, and instructs me as its chairman to report them as follows, to wit:

House bill No. 1062, do pass as amended.

House bill No. 1071 do pass as amended.

House bill No. 1090 do not pass.

Respectfully submitted.

E. H. McMICHAEL, Chairman.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker.*

The Senate has concurred in the following resolution of the House, to wit:

A resolution authorizing the joint committee on investigation of the convict lease system to employ an expert accountant.

The Senate has concurred in the amendment of the House to the Senate amendment to the following House bill, to wit:

A bill to create a new charter for the city of Eatonton.

The undersigned members of the Committee on Penitentiary submitted the following report:

*Mr. Speaker:*

We, the undersigned members of the committee of the



whole house, beg leave to submit this, a minority report on House bill No. 346, known as the convict bill :

We dissent from the majority report of said committee in its recommendation that the bill do pass by substitute for the reason that said substitute seeks to continue the "lease system," which we deem unwise.

Respectfully submitted.

L. A. DEAN,  
SEABORN WRIGHT,  
W. A. COVINGTON,  
HOOPER ALEXANDER,  
C. M. CANDLER,  
W. H. BURWELL,  
A. P. ADAMS,  
R. N. HARDEMAN,  
L. R. MASSENGALE,  
H. H. PERRY.

On motion of Mr. Holder the continuing special order was again taken up, to wit :

By Mr. Holder—

A bill to provide for the hire of the labor of certain felony convicts for a period of five years, and to provide for working other convicts on public roads.

Mr. Barrett of Stephens moved to amend the substitute as follows :

To amend section 15 by adding at the end thereof the following: "Provided, however, that the county authorities of the counties which do not use their convicts may take the profits derived from the labor of such convicts,

and under their own plan apply the same exclusively to the roads of the county.

The above amendment was adopted.

Mr. Wright of Floyd moved to reconsider the action of the House in adopting the above amendment, which motion prevailed.

The amendment was again voted on and lost.

The following amendments were adopted, to wit:

By Mr. Blackburn—

To amend section 1 of substitute by adding at the end thereof the following: "Provided, that the trial judge shall have the discretion of sending any person convicted of a misdemeanor to the State farm."

By Mr. Holder of Jackson—

To amend section 2 by inserting in line 6, between words "years" and "those," the words "except that lease beginning April 1, 1911, may be made to December 1, 1911."

By Mr. Whitley—

To amend section 3, line 23, by adding after word "and" and before word "following" "have been so found."

By Mr. Thurman—

To amend by adding to section 3 the following: "Nor shall any convict be required to do underground work in any coal or iron mine of this State."

By Mr. Smith of Campbell—

To amend by adding between lines 5 and 6 the words  
“and no other amount from any source.”

By Mr. Huff of Lumpkin—

To amend by adding after word “month” in line 7, section 6, the words, “provided, that no person under the age of 21 years of age and who does not furnish a certificate signed by three reputable citizens of this county giving testimony of his good moral character, shall be employed as such warden, guard, or other employee, and any of such employees who shall make a false statement as to his age in order to procure such employment, or who shall forge, publish or falsify any certificate of his good moral character mentioned above shall be guilty of a felony and shall be punished by confinement and labor in the penitentiary not less than one nor more than three years, in the discretion of the trial judge.”

By Mr. McMichael—

To amend section 6, line 8, by striking words “and a year” and substituting “once every three months unawares to the authorities.”

By Mr. Wright of Floyd—

To amend section 6 by adding at end, “no guard, or warden, or deputy warden shall be employed or retained who does not totally abstain from the use of intoxicating liquors as a beverage, and no warden, deputy warden or guard shall be appointed who does not furnish a certificate from the ordinary of the county in which he resides that he is in his judgment a humane, sober and honest man.”

By Mr. Hall of Bibb—

To amend by striking all of section 7.

By Messrs. Dean and Flanders—

To amend section 11 by adding after words “all convicts” in line 1, “whether sentence for felony or misdemeanor crimes.”

Also to amend section 11 by adding “discipline” after “management” in line 3.

By Messrs. Dean and Flanders—

To amend by striking all of section 12 and number remaining sections accordingly.

By Mr. McMullan—

To amend section 13 by adding the words, “any warden, deputy warden, guard or other prison official who shall cause any convict to do any work on Sunday, except works of necessity, shall be guilty of a misdemeanor and punished as provided in section 1039 of the Penal Code.”

By Mr. Holder—

To amend section 14 by striking all after word “enacted” in line to words “Prison Commission” in line 3 and inserting after word “corporations” in line 4 the “words, “upon any contract to extend beyond December 31, 1911.”

By Mr. Holder—

To amend by striking word “felony” wherever it occurs in section 14.

By Mr. White of Screven—

By adding a new section before repealing clause, to wit :

“No person, county or corporation to whom convicts may be hired or leased under said bill shall be allowed to work any convict longer than ten hours during any day ”

The report of the committee, which was favorable to the passage of the bill by substitute as amended, was agreed to.

On passage of the bill the ayes and nays were ordered and the vote was as follows :

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Edmondson,	Kendrick,
Adams of Wilkinson	Ellison,	Lee,
Adkins,	Fagan,	Lumsden,
Anderson of Bulloch,	Flanders,	Lunsford,
Arnold,	Foster,	Matthews,
Ashley,	Fowler,	MacFarland,
Atkinson,	Fraser,	McMahan,
Austin,	Furr,	McMichael,
Barksdale,	Gibson,	McMullan,
Bond,	Goode,	McWilliams,
Brown of Carroll,	Guyton,	Maxwell,
Brown of Oglethorpe,	Hall,	Moore,
Butt,	Hamilton,	Nix,
Calbeck,	Harris,	Nowell,
Callaway,	Haywood,	Orr,
Clifton,	Heard,	Parker,
Collum,	Holder,	Parrish,
Couch,	Howard,	Persons,
Culbreth,	Hubbard,	Peterson,
Davis,	Huie,	Pope of Brooks,
Davison,	Hullender,	Pope of Dade,
Donalson,	Johnson of Jasper,	Powell,
Dorminy,	Johnson of Towns,	Price of Bartow,
Dunbar,	Jones of Meriwether	Price of Oconee,
Dykes,	Keith,	Reid of Macon,

Rountree,	Taylor of Appling.	Walker of Wash'ton,
Russell	Taylor of Sumter,	Ward,
Ryals,	Terrell,	Warnell,
Slade,	Thorne,	Watkins,
Slater,	Thurman,	White of Madison,
Smith of Campbell,	Tift,	Whitley,
Stephens,	Tracy,	Williams,
Stewart,	Trent,	Wilson,
Strickland,	Tuggle,	Wise,
Sumner,	Tyson,	Wootten,
Swilling,	Walker of Lowndes,	Wright of Richmond.

Those voting in the negative were Messrs.—

Adams of Chatham,	Daniel,	McCarthy,
Alexander,	Dean,	McIntyre,
Anderson of Cobb,	Dickey,	Massengale,
Ballard,	Duggan,	Mays,
Barrett,	Eaves,	Mercer,
Barrow,	Edwards,	Mundy,
Bell,	Estes,	Payton,
Berry,	Frier,	Perry,
Blackburn,	Fullbright,	Reid of Patnam,
Bowen,	Geer,	Rogers,
Boyd,	Glenn,	Shaw,
Buchannon,	Hardeman,	Sheffield,
Burwell,	Hill,	Smith of Calhoun,
Candler,	Hines,	Stubbs,
Chamlee,	Huff,	Walker of Milton,
Clark,	Jackson,	White of Screven,
Cook of Chat'hoochee,	Jones of Mitchell,	Wright of Floyd,
Cooke of Thomas,	Kendall,	Wynne,
Covington,	Lively,	Young,
<b>Cowan,</b>		

Those not voting were Messrs.—

Allen,	Crumbley,	Odum,
Atwater,	Flannigan,	Reid of Wilcox,
Burkhalter,	Godley,	Simmons,
Cannon,	Johnson of Jeff Davis,	Townsend,
Cook of Telfair,	Martin,	Mr. Speaker.
Crawford,	Morris,	

The roll-call was verified, and on counting the votes cast it was found that the ayes were 108, nays 58.

The bill having received the requisite constitutional majority was passed by substitute as amended.

Leave of absence was granted Mr. Flannigan and the Committee on State Sanitarium.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Thursday, July 30, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings was dispensed with.

On motion of Mr. Perry Senate bill No. 63 was taken from the table and recommitted to the Committee on Constitutional Amendments.

By unanimous consent the following bills were read the first time, to wit:

By Mr. Johnson of Jasper—

A resolution to pay a pension to Mrs. Alice Jones.

Referred to Committee on Pensions.

By Mr. Payton—

A bill to make it unlawful to procure board and lodging with intent to defraud.

Referred to Special Judiciary Committee.

By Mr. Wise of Fayette—

A bill to amend an Act to levy and collect a tax for support of State government for 1908 and 1909.

Referred to Committee on Ways and Means.

By Mr. Huie—

A bill to amend an Act to amend the charter of Jonesboro.

Referred to Committee on Corporations.

By Mr. Clifton—

A bill to repeal an Act to incorporate the town of Ohoopee.

Referred to Committee on Corporations.

By Mr. Cowan—

A bill to provide for removal of obstructions from the streams of Rockdale county.

Referred to Counties and County Matters Committee.

By Messrs. Tuggle and Young—

A bill to authorize the town of West Point to close Bridge street.

Referred to Special Judiciary Committee.



By Messrs. Young and Tuggle—

A bill to authorize West Point to grant the privilege to the A. and W. P. and the W. and A. Railroad to use a certain part of Bridge street.

Referred to Special Judiciary Committee.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. Whitley—

A bill to establish and organize a sanitarium for the treatment of tuberculosis, and for other purposes.

The following amendments were adopted, to wit:

By Mr. Whitley—

To amend by adding to last section before repealing clause the following:

“Provided, that the \$25,000 appropriated shall be made available yearly as follows: One thousand dollars for year 1908, \$12,000 for the year 1909, and \$12,000 for the year 1910.”

By Mr. Dunbar—

To amend by striking that part of section 8 beginning with the words “and the sum of” in line 5 and to the end of said paragraph.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Alexander of DeKalb.

After a consideration of the bill the committee arose

and reported the same back to the House with the recommendation that it do pass as amended.

The favorable report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered, and on taking the ballot viva voce the vote was as follows :

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Davison,	Huie,
Adams of Wilkinson,	Dean,	Hullender,
Adkins,	Donalson,	Jackson,
Anderson of Bulloch,	Dorminy,	Johnson of Jasper,
Anderson of Cobb,	Dunbar,	Johnson of Jeff Davis,
Arnold,	Duggan,	Johnson of Towns,
Atkinson,	Dykes,	Jones of Mitchell,
Austin,	Eaves,	Kendall,
Ballard,	Edmondson,	Kendrick,
Barksdale,	Edwards,	Lee,
Barrett,	Ellison,	Lively,
Barrow,	Estes,	Lumsden,
Bell,	Flanders,	Lunsford,
Blackburn,	Foster,	Matthews,
Bond,	Fowler,	McCarthy,
Bowen,	Fraser,	McIntyre,
Brown of Carroll,	Frier,	McMahan,
Brown of Oglethorpe.	Geer,	McMullan,
Buchannon,	Gibson,	McWilliams,
Burwell,	Glenn,	Martin,
Butt,	Goode,	Massengale,
Calbeck,	Guyton,	Maxwell,
Callaway,	Hamilton,	Mays,
Cannon,	Hardeman,	Moore,
Chamlee,	Harris,	Morris,
Collum,	Haywood,	Mundy,
Cook of Chat'hoochee,	Heard,	Orr,
Covington,	Hill,	Parker,
Couch,	Hines,	Parrish,
Crawford,	Holder,	Payton,
Culbreth,	Hubbard,	Perry,
Daniel,	Huff,	Persons,

Peterson,	Smith of Calhoun,	Walker of Lowndes,
Pope of Brooks,	Smith of Campbell,	Walker of Milton,
Pope of Dade,	Stephens,	Walker of Wash'ton,
Powell,	Stubbs,	Warnell,
Price of Oconee,	Sumner,	Watkins,
Reid of Macon,	Swilling,	White of Madison,
Reid of Putnam,	Taylor of Appling,	White of Screven,
Reid of Wilcox,	Taylor of Sumter,	Whitley,
Rogers,	Thorne,	Williams,
Rountree,	Tift,	Wilson,
Russell,	Townsend,	Wootten,
Ryals,	Tracy,	Wright of Floyd,
Shaw,	Trent,	Wright of Richmond,
Slade,	Tuggle,	Wynne,
Slater,	Tyson,	Young,

Those voting in the negative were Messrs.—

Alexander,	Hall,	Stewart,
Berry,	Howard,	Strickland,
Candler,	Jones of Meriwether,	Thurman,
Cooke of Thomas,	Keith,	Wise,
Cowan,	MacFarland,	

Those not voting were Messrs.—

Adams of Chatham,	Davis,	Nix,
Allen,	Dickey,	Nowell,
Ashley,	Fagan,	Odum,
Atwater,	Flannigan,	Price of Bartow,
Boyd,	Fullbright,	Sheffield,
Burkhalter,	Furr,	Simmons,
Clark,	Godley,	Terrell,
Clifton,	McMichael,	Ward,
Cook of Telfair,	Mercer,	Mr. Speaker.
Crumbley,		

By unanimous consent the verification of the roll-call was dispensed with.

On counting the votes cast it was found that the ayes were 141, nays 14.

The bill having received the requisite constitutional majority was passed as amended.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has adopted the following resolution in which the concurrence of the House is respectfully asked, to wit:

A resolution providing for a joint session of the Senate and House of Representatives on August 7, 1908, at 12 o'clock, m., for purpose of hearing addresses on life and character of the late Hon. John W Akin, Senator from the 12d district.

The Senate has passed by substitute, by the requisite constitutional majority, the following House bill, to wit:

A bill to require all railway companies to equip locomotives with electric headlights.

By unanimous consent the following Senate resolution was read and unanimously concurred in:

By Mr. Felder of the 22d district—

A resolution providing for a joint session for August 7, 1908, at 12 o'clock, m., for the purpose of hearing addresses on the life and character of Hon. John W Akin, late President of the Senate, deceased.

By unanimous consent House bill No. 976 was set as a special order for Monday morning immediately after the reading of the Journal.

Mr. Hines asked unanimous consent that the following members be added to the State Sanitarium Committee, which was granted to wit Messrs. Matthews of Laurens, White of Madison, Wynne.

Mr. Fraser of Liberty asked unanimous consent that inasmuch as a great many members were absent on committee work, that the "game and fish" bill be postponed and made the special order for Monday next, which was granted.

Mr. Parker, chairman of the Committee on Enrollment, submitted the following report:

*Mr Speaker*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to wit

An Act to amend an Act to incorporate the town of Cordele, in the county of Crisp, and for other purposes.

An Act to incorporate the town of Woodland, in the county of Talbot, and to grant certain powers and privileges to said town, and for other purposes.

An Act to amend an Act creating a new charter for the city of Douglas, approved December 20, 1899, and for other purposes.

An Act to create and incorporate the city of Warrenton, in lieu of the town of Warrenton, and for other purposes.

An Act to amend an Act creating a board of commissioners of roads and revenues for the county of Dodge, and for other purposes.

An Act to amend the charter of Midville, so as to authorize the mayor and council to levy a tax for the ordinary current expenses of town.

An Act to appropriate fifteen thousand dollars to equip and repair the buildings on the campus of the Georgia Normal and Industrial College at Milledgeville.

An Act to incorporate the town of Riverdale, in the county of Clayton, and for other purposes.

An Act to repeal an Act incorporating and creating a charter for the town of Fairmount, in the county of Gordon.

An Act to establish, maintain and operate a system of public schools in Hartwell, Hart county.

The Committee on Enrollment have also examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following resolution, to wit:

A resolution to authorize the joint committee to investigate the administration of the prison department, to employ an expert accountant.

On motion of Mr. Alexander, the following bills which were fixed as a special order to follow the Holder convict bill were read a third time and put upon their passage, to wit:

By Messrs. Alexander, Burwell, Candler, Covington and Wright of Floyd—

A bill to amend the Constitution of this State by adding a new article which shall prohibit the farming out of convicts, and for other purposes.

The committee proposed the following substitute, to wit:

"A bill to be entitled an Act to propose to the people of Georgia an amendment to the Constitution of said State to be known as article 14, to prevent the farming out of convicts or their labor after the year 1911, and to require that the net hire of any convicts hired by the State from the first day of January, 1909, shall be accumulated as a fund for taking charge of the convicts.

"Section 1. Be it enacted by the General Assembly That there shall be proposed and is hereby proposed to the people of Georgia that the Constitution of said State be amended by adding thereto the following article, to be known as Article 14, to wit: 'Article 14. The prevention and punishment of crime and the restraint and control of criminals is a fundamental duty of the State, and no department of the government of Georgia or subdivision thereof shall have the power to hire out or lease any convict, or the labor thereof, to any private person or corporation by any contract to extend beyond the 31st day of December, 1911. If any convicts are hired by the authority of the State after the adoption of this amendment, all the net hire arising therefrom, as well as all other net hire after the first day of January, 1909, is hereby set apart as a fund to be used solely for the purpose of caring, managing and controlling the convicts of the State, and purchasing and improving property needful therefor. Its use for any other purpose whatsoever is hereby prohibited.

"Sec. 2. Be it further enacted by the General Assembly aforesaid, That whenever the above proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two houses of the General Assembly and the same has been entered on their Jour-

nals, with the ayes and nays taken thereon, the Governor shall cause said amendment to be published in one or more newspapers in each Congressional district for two months previous to the time of holding the next general election.

“Sec. 3. Be it further enacted by the General Assembly aforesaid, That the above proposed amendment shall be submitted for ratification or rejection to the electors of this State at said next general election to be held after publication, as provided for in the second section of this Act, in the several election districts of this State, at which election every person shall be qualified to vote who is entitled to vote for the members of the General Assembly. All persons at said election in favor of adopting said amendment to the Constitution shall have written or printed on their ballots the words, “For amendment of Constitution abolishing the leasing of convicts,” and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words, “Against amendment of Constitution abolishing the leasing of convicts.”

“Sec. 4. Be it further enacted by the General Assembly aforesaid, That the Governor be, and he is, hereby authorized and directed to provide for the submission of the amendment proposed in this Act to a vote of the people as required by the Constitution of this State in paragraph 1, section 1, article 13, and if ratified the Governor shall, when ascertains such ratification from the Secretary of State, to whom the returns shall be referred in the manner as in cases of election for members of the General Assembly, to count and ascertain the result, issue his proclamation for one insertion in one of the daily papers of this State, announcing such result and declaring the amendment ratified.



"Sec. 5. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed."

Mr Smith of Campbell proposed to amend the above substitute by striking from section 1, article 14 all the words occurring after "December 31, 1911."

Also to amend caption by striking all words after "1911" in line 4.

The above amendments were adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill the ayes and nays were ordered, which was as follows.

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Brown of Carroll,	Daniel,
Adams of Elbert,	Brown of Oglethorpe.	Davis,
Adkins,	Buchannon,	Davison,
Alexander,	Burwell,	Dean,
Anderson of Bulloch,	Butt,	Dorminy,
Anderson of Cobb,	Calbeck,	Dunbar,
Arnold,	Callaway,	Duggan,
Ashley,	Candler,	Dykes,
Atkinson,	Cannon,	Eaves,
Austin,	Chamlee,	Edwards,
Ballard,	Clark,	Ellison,
Barksdale,	Clifton,	Estes,
Barrett,	Cook of Chat'hoochee,	Flanders,
Barrow,	Cooke of Thomas,	Foster,
Bell,	Covington,	Fowler,
Blackburn,	Couch,	Fraser,
Bond,	Cowan,	Frier,
Bowen,	Crawford,	Fullbright,
Boyd,	Culbreth,	Geer,

Gibson,	McCarthy,	Smith of Calhoun,
Glenn,	McIntyre,	Smith of Campbell,
Goode,	McMahan,	Strickland,
Guyton,	McMichael,	Stubbs,
Hall,	McMullan,	Sumner,
Hamilton,	Martin,	Swilling,
Hardeman,	Massengale,	Taylor of Appling,
Harris,	Maxwell,	Taylor of Sumter,
Hawwood,	Mays,	Thorne,
Heard,	Moore,	Thurman,
Hill,	Morris,	Tracy,
Hines,	Mundy,	Trent,
Holder,	Nowell,	Tuggle,
Howard,	Orr,	Tyson,
Hubbard,	Parker,	Walker of Lowndes,
Huff,	Parrish,	Walker of Milton,
Huie,	Payton,	Walker of Wash'ton,
Hullender,	Persons,	Ward,
Johnson of Towns,	Pope of Brooks,	Warnell,
Jones of Meriwether,	Pope of Dade,	Watkins,
Jones of Mitchell,	Powell,	White of Madison,
Keith,	Reid of Macon,	White of Screven,
Kendall,	Reid of Putnam,	Williams,
Kendrick,	Rogers,	Wilson,
Lee,	Rountree,	Wise,
Lively,	Russell,	Wootten,
Lumsden,	Ryals,	Wright of Floyd,
Lumsford,	Shaw,	Wright of Richmond,
Matthews,	Simmons,	Wynne,
MacFarland,	Slade,	Young,

Those voting in the negative were Messrs.—

Edmondson,	Perry,	Stewart,
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Those not voting were Messrs.—

Adams of Wilkinson,	Dickey,	Johnson of Jeff Davis,
Allen,	Donalson,	McWilliams,
Atwater,	Fagan,	Mercer,
Berry,	Flannigan,	Nix,
Burkhalter,	Furr,	Odum,
Collum,	Godley,	Peterson,
Cook of Telfair,	Jackson,	Price of Bartow,
Crumbly,	Johnson of Jasper,	Price of Oconee,

Reid of Wilcox,  
Sheffield,  
Slater,

Stephens,  
Terrell,  
Tift,

Townsend,  
Whitley,  
Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 147, nays 3.

The bill having received the requisite constitutional majority was passed by substitute as amended.

On motion of Mr Wright of Floyd the above bill was ordered immediately transmitted to the Senate.

On motion of Mr Alexander the session was extended for fifteen minutes for the purpose of (1) reading local bills a second time, (2) reading local bills a third time, and (3) concurring in Senate amendments to House bills.

By Mr. Hall of Bibb—

A bill to amend article 3, section 9 of the Constitution so as to increase the per diem of members of the General Assembly.

Mr. Hall of Bibb proposed a substitute for the above bill, which was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to by substitute.

On the passage of the bill the ayes and nays were ordered, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,  
Adams of Elbert,

Adams of Wilkinson,  
Anderson of Bulloch,

Ashley,  
Austin,

Barrett,	Glenn,	Parker,
Barrow,	Goode,	Parrish,
Bell,	Guyton,	Persons,
Blackburn,	Hall,	Pope of Brooks,
Bowen,	Hamilton,	Price of Oconee,
Boyd,	Hardeman,	Reid of Macon,
Brown of Carroll,	Harris,	Reid of Putnam,
Brown of Oglethorpe,	Haywood,	Rogers,
Buchannon,	Hill,	Russell,
Burwell,	Holder,	Ryals,
Butt,	Hubbard,	Slade,
Calbeck,	Huff,	Slater,
Callaway,	Johnson of Towns,	Smith of Calhoun,
Cannon,	Jones of Mitchell,	Smith of Campbell,
Chamlee,	Kendall,	Stewart,
Couch,	Kendrick,	Stubbs,
Daniel,	Lunsford,	Taylor of Sumter,
Davison,	Matthews,	Thorne,
Dean,	MacFarland,	Tift,
Dorminy,	McCarthy,	Tuggle,
Dunbar,	McMahan,	Walker of Lowndes,
Dykes,	McMullan,	Ward,
Edmondson,	Martin,	Warnell,
Edwards,	Massengale,	Watkins,
Estes,	Maxwell,	White of Madison,
Fowler,	Mays,	Williams,
Fraser,	Mercer,	Wise,
Frier,	Moore,	Wright of Richmond,
Fullbright,	Orr,	Young,
Geer,		

Those voting in the negative were Messrs.—

Adkins,	Cook of Chat'hoochee,	Hullender,
Alexander,	Cooke of Thomas,	Jackson,
Anderson of Cobb,	Covington,	Keith,
Arnold,	Crawford,	Lee,
Atkinson,	Davis,	Lively,
Ballard,	Duggan,	Lumsden,
Bond,	Eaves,	McIntyre,
Candler,	Ellison,	McWilliams,
Clark,	Flanders,	Morris,
Clifton,	Foster,	Mundy,
Collum,	Heard,	Nowell,

Payton,	Swilling,	Walker of Wash'ton,
Perry,	Taylor of Appling,	White of Screven.
Peterson,	Thurman,	Wilson,
Pope of Dade,	Tracy,	Wootten,
Simmons,	Trent,	Wright of Floyd,
Strickland,	Tyson,	Wynne,
Sumner,	Walker of Milton,	

Those not voting were Messrs.—

Allen,	Flannigan,	Odum,
Atwater,	Furr,	Powell,
Barksdale,	Gibson,	Price of Bartow,
Berry,	Godley,	Reid of Wilcox,
Burkhalter,	Hines,	Rountree,
Cook of Telfair,	Howard,	Shaw,
Cowan,	Huie,	Sheffield,
Crumbley,	Johnson of Jasper,	Stephens,
Culbreth,	Johnson of Jeff Davis,	Terrell,
Dickey,	Jones of Meriwether,	Townsend,
Donalson,	McMichael,	Whitley,
Fagan,	Nix,	Mr. Speaker.

The roll-call was verified, and upon counting the votes cast it was found that the ayes were 94, nays 53.

The bill having failed to receive the requisite constitutional majority was lost.

Mr. Perry of Hall submitted the following

*Mr. Speaker:*

I beg to enter upon the Journal of the House my protest against the action of the House (in the consideration of the bill No. 982, which proposes an amendment to the Constitution abolishing the leasing of convicts after December 31, 1911) in voting down an amendment to said bill and substitute thereto, which amendment provided for the immediate abolition of the system of leasing convicts or their labor, and borrowing the sum of \$750,000 to

enable the State to put said convicts to work upon farms and the public roads, or such other work as the Assembly might prescribe as soon as the present contracts expire, and in passing the said bill in its present shape.

The grounds of my protest are :

1. That the action of the House continues the convict lease system for about three years, whereas in my humble judgment the good name of the State demands its immediate abolition.

2. That judging from the past, the profits of the labor of said convicts during said time which will be reaped by the lessees and lost to the State would more than pay the \$750,000 required to enable the State to work the convicts under its own supervision.

3. That after the initial expense of \$750,000 so required, with a part of the convicts upon a farm or farms and the remainder at work upon the roads, the system of working the convicts by the State could be made self-sustaining, good highways could be built throughout the State without expense to the taxpayers, and the profits which could be derived from additional lines of work would soon pay the principal and interest on the \$750,000 borrowed for the initial expense.

4. The bill as passed by the House simply declares in a general sentence that no convicts shall be leased after December 31, 1911, without any provision securing the necessary funds by which the State can at any time work said convicts under its own supervision and obtain the benefits of their work, and in my humble judgment will prove ineffectual and nugatory and create an early necessity to go back to the lease system either by repealing the said amendment or by an evasion of its vague terms.

I make this protest with the highest respect for each and every member of the House, and fully believing that their action was dictated by the most honest motives.

H. H. PERRY of Hall county.

July 30, 1908.

The following bills were read the third time and put upon their passage, to wit:

By Messrs. Blackburn and Bell—

A bill to amend an Act to create the charter of College Park.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Slaton, Blackburn and Bell—

A bill to amend the charter of the city of Atlanta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

The following bills were read the first time, to wit:

By Mr. Ballard—

A bill to change the number of county commissioners of Newton county.

Referred to Special Judiciary Committee.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Wilson of Gwinnett—

A resolution to make House bill No. 644 a special order.

Leave of absence was granted Messrs. Peterson, Furr, and Bond.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Friday, July 31, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Martin, chairman of Committee on General Agriculture, submitted the following report:

*Mr Speaker:*

Your Committee on General Agriculture having under consideration the following bills of the House, instructed me as their chairman to report same back to the House with the recommendation that same do pass, to wit:



A bill to amend Act providing for clearing obstructions from running streams in Henry county

A bill to provide against mending, selling burglars' tools.

Also the following House bill with the recommendation that same do not pass, to wit:

A bill to amend Act regulating sale of commercial fertilizers.

Also the following bill of the Senate, with the recommendation that same do not pass, to wit

A bill to amend Act providing for the establishment of an agricultural experiment station.

Respectfully submitted.

L. H. O. MARTIN, Chairman.

Mr. Atkinson, acting chairman of the Corporations Committee, submitted the following report:

*Mr. Speaker:*

Your committee on Corporations has had under consideration the following bills of the House, and direct me as their acting chairman to report same back with the following recommendation, to wit:

HOUSE BILLS—DO PASS.

An Act to amend the charter of the town of Jonesboro.

An Act to repeal an Act incorporating the town of Ochoopee, Toombs county.

DO NOT PASS.

An Act to repeal an Act to provide for the creation and operation of local tax district schools as relates to Wesley Chapel school district in Carroll county.

Respectfully submitted.

PAUL ATKINSON, Acting Chairman.

Mr. Wright of Richmond, chairman of the Committee on General Judiciary, submitted the following report :

*Mr Speaker·*

Your Committee on General Judiciary having had under consideration the following bill of the House, instructed me as their chairman to report same back to the House with the recommendation that same do pass by substitute as amended, to wit :

A bill to regulate certain primary elections in this State.

Also the following bill of the House with the recommendation that same do pass as amended, to wit :

A bill to place Tattnall and Toombs counties in Atlantic judicial circuit.

Also the following bill of the House with the recommendation that same do pass by substitute, to wit :

A bill to amend the registration laws of Georgia.

Also the following bills of the House, with the recommendation that same do not pass, to wit :

A bill to provide that the payment of poll tax shall be voluntary.

A bill to amend Act providing for the registration of voters.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report :

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House and Senate, and direct me as their chairman to report same back with the following recommendations, to wit :

SENATE BILLS—DO PASS.

An Act to incorporate the town of Kingwood.

**An Act to prevent taking fish from Brasstown creek, in Towns and Union counties.**

HOUSE BILLS—DO PASS.

An Act to authorize any corporation chartered by superior courts to change its corporate residence.

An Act to amend an Act incorporating the town of Temple.

An Act to amend the charter of the city of Winder.

An Act to incorporate the city of Danielsville.

An Act to amend the charter of the city of Waynesboro.

An Act to create a public school system for the town of Lithonia.

## HOUSE BILL—DO NOT PASS.

An Act to fix the compensation of the treasurer of Harris county.

Respectfully submitted.

HAL G. NOWELL, Chairman.

Mr. Donalson, chairman of Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters has had under consideration the following House resolution and House bills, and as its chairman I am instructed to report the same back with the following recommendations:

House resolution No. 263, do not pass.

House bill No. 1037, do pass.

House bill No. 1102, do pass.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

Mr. McMichael, chairman of the Committee on Education, submitted the following report:

ATLANTA, GA., July 30, 1908.

*Mr. Speaker:*

Your Committee on Education has had under consideration House bill No. 986, and instructs me as its chairman to report that the same do not pass.

Respectfully submitted.

E. H. McMICHAEL, Chairman.

Mr. Foster, chairman of the Committee on Pensions, submitted the following report:

*Mr. Speaker:*

Your Committee on Pensions having had under consideration the following named bills, beg leave to report the same back to the House with the following recommendations:

No. 775, to repeal Act providing for payment of pensions, do not pass.

No. 811, providing how pensions shall be paid, do not pass.

No. 180, to pay expenses of W. J. Barnes, do not pass.

No. 181, to pay funeral expenses of J. B. Grant, do not pass.

No. 772, to provide how pensions shall be paid, do not pass.

No. 264, to pay pension due Archibald McKinley, do pass.

No. 250, to pay pension to Maiden T. Honea, do pass.

No. 883, to provide for annual payment of pensions, do pass as amended.

No. 267, to pay pension to Mrs. Eliza Lee, do pass.

No. 272, to pay pension to Mrs. Nancy M. Collier, do pass.

J. Z. FOSTER, Chairman.

Mr. Blackburn, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following Senate and House bills, and as its chairman I am requested to report the same back with the recommendation as follows:

Senate bill No. 47, entitled an Act to require the Insurance Commissioner to refuse license to foreign insurance companies in certain cases.

Do not pass.

House bill No. 1096, entitled an Act to abolish the circuit court of Madison county.

Do pass.

House bill No. 1094, an Act to establish city court of Danielsville, in the county of Madison.

Do pass.

House bill No. 1087, entitled an Act approved December 10, 1900, creating a school system in Lumber City.

Do pass.

House bill No. 1093, an Act to amend the charter of the town of Hogansville.

Do pass.

All of which is respectfully submitted.

R. B. BLACKBURN, Chairman.

Mr. Whitley, chairman of the Committee on Hygiene and Sanitation, submitted the following report:

*Mr. Speaker:*

Your Committee on Hygiene and Sanitation has had under consideration the following bills, and instruct me as its chairman to report them back to the House with the recommendation that they do not pass.

A bill to amend an Act to provide against the evils resulting from the traffic in narcotic drugs.

A bill to repeal an Act to guard against evils resulting from sale of narcotic drugs.

Respectfully submitted.

T R. WHITLEY, Chairman.

Mr. Stubbs, vice-chairman of the Committee on Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following Act, to wit:

An Act to amend the Constitution of this State so as to define the qualification of voters and provide for registration.

Respectfully submitted.

J. B. STUBBS, Vice-Chairman.

The following communication was read, to wit:

ATLANTA, GA., July 31, 1908.

*To Speaker of House of Representatives, City.*

HONORABLE SIR: You and each member of the House

of Representatives are invited to attend and take part in the meeting of the Sanitary and Tuberculosis Prevention Society to-night, 8 p.m., at the Carnegie Library, July 31, 1908.

Papers on "What the State and What the Municipality Can do to Prevent Tuberculosis" will be read and discussed. Will be pleased to have each of you attend and take part in the discussion,

Yours in the interest of humanity,

R. R. KIME, President.

On motion of Mr. McMichael, 200 copies each of House bills Nos. 191, 192, 193 were ordered printed for use of the House.

By unanimous consent the following bill was read the second time and recommitted, to wit:

By Mr. Wise of Fayette—

A bill to amend an Act to levy and collect a tax for the support of the State government.

House bill No. 997 was tabled on motion of Mr. Wise of Fayette.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Shaw—

A resolution to make House bill No. 826 a special order.

By Messrs. Slaton, Blackburn and Bell—

A bill to repeal an Act to incorporate the town of Battle Hill.



Referred to Special Judiciary Committee.

By Messrs. Slaton, Blackburn and Bell—

A bill to repeal an Act to incorporate the town of Edgewood.

Referred to Special Judiciary Committee.

By Messrs. Slaton, Blackburn and Bell—

A bill to amend the charter of the city of Atlanta.

Referred to Special Judiciary Committee.

By unanimous consent the following House bill was taken up and the Senate amendment concurred in, to wit:

By Mr. Dean of Floyd—

A bill to amend the charter of the city of Rome.

The Senate proposed to amend as follows:

To amend section 11, line 2, by striking word "and" between figures "27" and "28," and inserting after figures "28" "and 29."

Also to amend caption by adding before the words "and for other purposes" the words, "to change the boundary lines of said city and provide for defining the wards thereof."

Also to amend by adding a new section to be appropriately numbered, as follows: "Be it further enacted, that all lands now embraced in the corporate limits of said city be, and the same is, hereby drawn from the jurisdiction and corporate limits of said city that lies east and

south of the following boundary lines, to wit: Beginning at the center of the mouth of the first branch on the Etowah river above the bridge on Second avenue; thence following said branch south and east on the north side of Division street, thence along the north side of Division street to the east side of Gordon street; thence following the present boundary line of said city to the east side of Dean street, thence along the east side of Dean street to the south side of Union street; thence along the south side of Union street to the west side of Spring street; thence north along the west side of Spring street to the west side of Spring Creek street; thence along the south side of Spring Creek street to the right of way of the Central of Georgia Railway Company. The mayor and council shall have power and authority to lay out and designate and define, change or alter the boundary lines of the various wards of the city."

By unanimous consent the following bill was read the second time, to wit:

By Mr. Kendrick—

A bill to provide against the sale, etc., of burglars' tools, etc., and for other purposes.

By unanimous consent the following Senate bill was read the first time, to wit:

By Mr. Deen of the 5th district—

A bill to require all births to be reported to ordinaries.

Referred to General Judiciary Committee.

By Mr. Wilkes of the 7th district—

A bill to amend an Act to create the city court of Quitman.

Referred to Special Judiciary Committee.

By Mr. Brantley of the 16th district—

A bill to amend an Act to create a new charter for the city of Dublin.

Referred to Committee on Corporations.

By Mr. Cowart of the 9th district—

A bill to repeal an Act to provide for changing county lines lying in incorporated towns.

Referred to Special Judiciary Committee.

The following bills were read the first time by unanimous consent, to wit:

By Mr. Massengale—

A bill to amend an Act to incorporate the town of Norwood.

Referred to Committee on Corporations.

By Mr. Eaves—

A bill to incorporate the town of Buchannon.

Referred to Special Judiciary Committee.

By Mr. Payton—

A bill to amend the charter of the city of Sylvester.

Referred to Counties and County Matters Committee.

By Mr. Townsend—

A bill to amend section 982, volume 1 of the Code so as to add Homerville to the list of State depositories.

Referred to Committee on Banks and Banking.

The following message was received from the Senate through Mr. Northen, Secretary thereof :

*Mr. Speaker:*

The Senate asks for a conference committee of three from the Senate and three from the House of Representatives to confer upon the following bill of the House, to wit :

A bill to require all legislative counsel and agents to register with the Secretary of State.

The President has appointed on part of the Senate the following conference committee :

Senator Hays of the 13th district.

Senator Gordy of the 24th district.

Senator Crittenden of the 11th district.

The following message was received from the Senate through Mr. Northen, Secretary thereof :

*Mr. Speaker:*

The Senate has passed as amended, by the requisite constitutional majority, the following House resolution, to wit :

A resolution to return to Carroll Daniel the amount received by the State for work done by him in the penitentiary from March 5, 1906, to February 8, 1907, while illegally confined therein.

The Senate has passed by the requisite constitutional majority the following House bills, to wit :

A bill to amend the charter of the town of Barwick, in Brooks and Thomas counties.

Also a bill to repeal an Act creating a board of commissioners of roads and revenues for Baker county.

Also a bill to be entitled an Act to amend the Constitution of this State so as to define the qualifications of voters and provide for registration.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker*

The Senate has passed by the requisite constitutional majority the following Senate bills, to wit:

A bill to amend the charter of the mayor and aldermen of the city of St. Mary's.

Also a bill to amend an Act creating a board of commissioners of roads and revenues for the county of Calhoun.

Also a bill to abolish the office of commissioner of roads and revenues for Irwin county.

Also a bill to create a board of commissioners of roads and revenues for Irwin county.

Also a bill to amend the charter of the city of Macon.

Also a bill to authorize and empower members of local school boards of school trustees to administer oaths to common school teachers to their reports to county school commissioners.

The following bills were read the second time, to wit:

By Mr. Fowler, Hall and Ryals—

A bill to authorize Bibb county to pay Judge John P. Ross certain monies.

By Mr. McWilliams—

A bill to amend an Act to provide for the removal of obstructions from the streams of Henry county.

By Mr. Brown of Carroll—

A bill to amend an Act to incorporate the town of Temple.

By Mr. Cook of Telfair—

A bill to amend an Act to create a system of public schools in the town of Lumber City.

By Messrs. Flannigan and Holder—

A bill to amend the charter of Winder.

By Messrs. Young and Tuggle—

A bill to amend the charter of the town of Hogansville.

By Mr. White of Madison—

A bill to incorporate the city of Danielsville.

By Mr. Fullbright—

A bill to amend the charter of Waynesboro.

By Messrs. Alexander and Candler—

A bill to create a system of public schools for the town of Lithonia.

By Mr. Cowan—

A bill to provide for removal of obstructions from the streams of Rockdale county.

By Mr. Huie—

A bill to amend an Act to amend the charter of Jonesboro.

By Mr. Clifton—

A bill to repeal an Act to incorporate the town of Ohoopee.

By Mr. Hubbard—

A resolution to pay pension due Thomas Honea to his widow.

By Messrs. McFarland and Barrow—

A resolution to pay pension due Archibald McKinley.

By Mr. Edmondson—

A resolution to pay pension due Mrs. Eliza Lee.

By Mr. Ellison—

A resolution to pay pension to Mrs. Nancy M. Collier.

By Mr. Fowler—

A bill to authorize corporations to change corporate residence when a majority of stockholders so vote.

By Messrs. Warnell, McFarland, and Clifton—

A bill to change the counties of Tattnall and Toombs

from the Middle judicial circuit to the Atlantic judicial circuit.

By Messrs. Barrett and Calbeck—

A bill to provide how pensions due Confederate soldiers shall be paid.

By Mr. Hardeman—

A bill to amend the registration laws of Georgia, to prescribe the duties of tax-collectors, etc.

By Mr. White of Madison—

A bill to create the city court of Danielsville.

By Mr. White of Madison—

A bill to abolish the city court of Madison.

By Messrs. Chamlee and Dean—

A bill to amend an Act to create the city court of Floyd county.

The following Senate bills were read the second time, to wit:

By Mr. Lashley of the 40th district—

A bill to prevent taking fish from Brasstown creek.

By Mr. Wilkes of the 7th district—

A bill to incorporate the town of Kingwood.

The following bills were taken up and the Senate amendments concurred in, to wit:



By Mr. Geer of Miller—

A bill to repeal an Act to create the city court of Miller county

The Senate proposed to amend by striking figures "1907" wherever same occur and insert "1908."

By Mr. Geer—

A bill to create the city court of Miller county.

The Senate proposed to amend by adding the following after the word "court" in line 11, section 3: "provided, however, that said solicitor shall receive no fee at all unless there is a plea of guilty or a conviction."

Senate bill No. 203 was taken from the Special Judiciary Committee and rereferred to the Committee on Corporations by unanimous consent.

A motion was put and carried that Senate bill No. 3 be tabled.

By unanimous consent House bill No. 997 was made the special order for Monday morning next after the special order already set.

The following resolutions were read, to wit:

By Mr. McMichael—

A resolution to fix House bills 191, 192 and 193 be set as continuing special orders to follow special orders already set.

Referred to Committee on Rules.

By Mr Fullbright—

A resolution fixing the order of business for to-morrow :

1. Introduction of new matter.
2. Reports of standing committees.
3. Reading House bills favorably reported second time.
4. Reading local House bills third time.
5. Reading Senate bills first time.
6. Reading local Senate bills second time.
7. Reading local Senate bills third time.

Mr. Fullbright of Burke moved to adjourn, and no quorum having voted on the motion, the Speaker directed a call of the roll, which was as follows :

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Guyton,	Orf,
Ballard,	Hardeman,	Parker,
Brown of Carroll,	Haywood,	Parrish,
Brown of Oglethorpe,	Heard,	Price of Oconee,
Burwell,	Hill,	Reid of Macon,
Butt,	Hubbard,	Stewart,
Covington,	Huff,	Stubbs,
Cowan,	Hullender,	Sumner,
Davis,	Keith,	Taylor of Sumter,
Donalson,	Kendrick,	Terrell,
Estes,	Lively,	Thorne,
Foster,	McMichael,	Tift,
Frier,	Massengale,	Walker of Wash'ton,
Fullbright,	Mundy,	Watkins,
Gibson,	Nix,	Young,

Those voting in the negative were Messrs.—

Adams of Elbert,	Anderson of Cobb,	Barksdale,
Alexander,	Ashley,	Barrett,
Anderson of Bulloch,	Austin,	Barrow,

Blackburn,	Jones of Meriwether,	Slater,
Bowen,	Kendall,	Smith of Calhoun,
Burkhalter,	Lee,	Smith of Campbell,
Calbeck,	Lunsford,	Strickland,
Callaway,	MacFarland,	Taylor of Appling,
Cannon,	McCarthy,	Thurman,
Chamlee,	McIntyre,	Townsend,
Clark,	McMahan,	Tracy,
Cooke of Thomas,	McMullan,	Trent,
Couch,	McWilliams,	Tuggle,
Crawford,	Martin,	Tyson,
Daniel,	Nowell,	Walker of Lowndes
Dean,	Payton,	Walker of Milton,
Dunbar,	Perry,	Ward,
Dykes,	Pope of Dade,	Whitley,
Eaves,	Powell,	Williams,
Edwards,	Reid of Putnam,	Wilson,
Geer,	Ryals,	Wise,
Hall,	Shaw,	Wootten,
Harris,	Simmons,	Wright of Richmond,
Huie,	Slade,	Young,
Johnson of Towns,		

Those not voting were Messrs.—

Adams of Wilkinson,	Dickey,	Johnson of Jasper,
Adkins,	Dorminy,	Johnson of Jeff Davis,
Allen,	Duggan,	Jones of Mitchell,
Arnold,	Edmondson,	Lumsden,
Atkinson,	Ellison,	Matthews,
Atwater,	Fagan,	Maxwell,
Bell,	Flanders,	Mays,
Berry,	Flannigan,	Mercer,
Bond,	Fowler,	Moore,
Boyd,	Fraser,	Morris,
Buchannon,	Furr,	Odum,
Candler,	Glenn,	Persons,
Clifton,	Godley,	Peterson,
Collum,	Goode,	Pope of Brooks,
Cook of Chat'hoochee,	Hamilton,	Price of Bartow,
Cook of Telfair,	Hines,	Reid of Wilcox,
Crumbley,	Holder,	Rogers,
Culbreth,	Howard,	Rountree,
Davison,	Jackson,	Russell,

Sheffield,  
Stephens,  
Swilling,

Warnell,  
White of Madison,  
White of Screven,

Wright of Floyd,  
Wynne,  
Mr. Speaker.

On the motion to adjourn the ayes were 45, nays 72, and the roll-call having disclosed that 117 members were present the House proceeded with the business before it, the motion to adjourn having been lost.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. Wise—

A bill to amend section 982, volume 1 of the Code so as to add the city of Fayetteville to the list of State depositories.

The favorable report of the committee was agreed to.

No quorum having voted on the passage of the bill the Speaker ordered a call of the roll, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Brown of Oglethorpe,	Dunbar,
Adams of Elbert,	Burkhalter,	Dykes,
Alexander,	Burwell,	Eaves,
Anderson of Bulloch,	Butt,	Edwards,
Anderson of Cobb,	Calbeck,	Estes,
Ashley,	Callaway,	Foster,
Atkinson,	Candler,	Frier,
Austin,	Chamlee,	Fullbright,
Ballard,	Clark,	Geer,
Barksdale,	Cooke of Thomas,	Gibson,
Barrett,	Couch,	Guyton,
Barrow,	Cowan,	Hall,
Blackburn,	Crawford,	Harris,
Bowen,	Daniel,	Haywood,
Brown of Carroll,	Dean,	Heard,

Hill,	Nix,	Taylor of Appling,
Hubbard,	Nowell,	Taylor of Sumter,
Huff,	Orr,	Terrell,
Huie,	Parker,	Thorne,
Hullender,	Parrish,	Thurman,
Johnson of Towns,	Payton,	Tift,
Jones of Meriwether,	Perry,	Townsend,
Keith,	Pope of Dade,	Tracy,
Kendall,	Powell,	Trent,
Kendrick,	Price of Oconee,	Tuggle,
Lee,	Reid of Macon,	Tyson,
Lively,	Reid of Putnam,	Walker of Lowndes,
Lunsford,	Ryals,	Walker of Milton,
MacFarland,	Shaw,	Walker of Wash'ton,
McCarthy,	Simmons,	Ward,
McIntyre,	Slade,	Watkins,
McMahan,	Slater,	Whitley,
McMichael,	Smith of Calhoun,	Williams,
McMullan,	Smith of Campbell,	Wilson,
McWilliams,	Stewart,	Wise,
Martin,	Strickland,	Wootten,
Massengale,	Stubbs,	Wright of Richmond,
Mundy,	Sumner,	Young,

Those not voting were Messrs.—

Adams of Wilkinson,	Davis,	Hardeman,
Adkins,	Davison,	Hines,
Allen,	Dickey,	Holder,
Arnold,	Donalson,	Howard,
Atwater,	Dorminy,	Jackson,
Bell,	Duggan,	Johnson of Jasper,
Berry,	Edmondson,	Johnson of Jeff Davis,
Bond,	Ellison,	Jones of Mitchell,
Boyd,	Fagan,	Lumsden,
Buchannon,	Flanders,	Matthews,
Cannon,	Flannigan,	Maxwell,
Clifton,	Fowler,	Mays,
Collum,	Fraser,	Mercer,
Cook of Chat'hoochee,	Furr,	Moore,
Cook of Telfair,	Glenn,	Morris,
Covington,	Godley,	Odum,
Crumbley,	Goode,	Persons,
Culbreth,	Hamilton,	Peterson,

Pope of Brooks,	Russell,	White of Madison,
Price of Bartow,	Sheffield,	White of Screven,
Reid of Wilcox,	Stephens,	Wright of Floyd,
Rogers,	Swilling,	Wynne,
Rountree,	Warnell,	Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 114, nays 0.

The bill having received the requisite constitutional majority was passed, and the House took up the following bill for passage by unanimous consent, to wit:

By Messrs. Nix and Wilson—

A bill to amend an Act to provide for four terms a year of the superior court of Gwinnett county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wright of Richmond—

A bill to require all candidates in any election or primary for public office to publish itemized statements of campaign expenses.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

No quorum having voted on the above bill the Speaker directed a call of the roll, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Harris,	Reid of Macon,
Adams of Elbert,	Haywood,	Reid of Putnam,
Alexander,	Heard,	Russell,
Ashley,	Hill,	Ryals,
Atkinson,	Hines,	Shaw,
Barksdale,	Hubbard,	Slade,
Barrow,	Huie,	Slater,
Bell,	Hullender,	Smith of Campbell,
Bowen,	Johnson of Towns,	Stewart,
Brown of Carroll,	Jones of Meriwether.	Strickland,
Brown of Oglethorpe.	Keith,	Stubbs,
Burkhalter,	Kendall,	Sumner,
Butt,	Kendrick,	Taylor of Appling,
Callaway,	Lee,	Taylor of Sumter,
Candler,	Lively,	Thorne,
Chamlee,	Lumsden,	Thurman,
Cooke of Thomas,	Lunsford,	Townsend,
Covington,	MacFarland,	Tracy,
Couch,	McCarthy,	Trent,
Cowan,	McIntyre,	Tuggle,
Crawford,	McMahan,	Tyson,
Daniel,	McMichael,	Walker of Lowndes,
Davis,	McMullan,	Walker of Milton,
Dean,	McWilliams,	Walker of Wash'ton,
Dunbar,	Martin,	Ward
Dykes,	Mays,	Watkins,
Eaves,	Mundy,	White of Screven,
Edwards,	Nix,	Whitley,
Foster,	Nowell,	Williams,
Frier,	Orr,	Wilson,
Fullbright,	Parker,	Wise,
Geer,	Parrish,	Wootten,
Gibson,	Payton,	Wright of Richmond,
Guyton,	Perry,	Young,
Hardeman,	Powell,	

Those voting in the negative were Messrs.—

Anderson of Cobb,	Cannon,	Pope of Dade,
Ballard,	Clark,	Simmons,
Blackburn,	Estes,	Terrell,
Calbeck,	Huff,	

Those not voting were Messrs.—

Adams of Wilkinson,	Edmondson,	Mercer,
Adkins,	Ellison,	Moore,
Allen,	Fagan,	Morris,
Anderson of Bulloch,	Flanders,	Odum,
Arnold,	Flannigan,	Persons,
Atwater,	Fowler,	Peterson,
Austin,	Fraser,	Pope of Brooks,
Barrett,	Furr,	Pope of Dade,
Berry,	Glenn,	Price of Bartow,
Bond,	Godley,	Price of Oconee,
Boyd,	Goode,	Reid of Wilcox,
Buchannon,	Hall,	Rogers,
Burwell,	Hamilton,	Rountree,
Clifton,	Holder,	Sheffield,
Collum,	Howard,	Smith of Calhoun,
Cook of Chat'hoochee,	Huff,	Stephens,
Cook of Telfair,	Jackson,	Swilling,
Crumbley,	Johnson of Jasper,	Tift,
Culbreth,	Johnson of Jeff Davis,	Warnell,
Davison,	Jones of Mitchell,	White of Madison,
Dickey,	Matthews,	Wright of Floyd,
Donalson,	Massengale,	Wynne,
Dorminy,	Maxwell,	Mr. Speaker.
Duggan,		

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 104, nays 11.

The bill having received the requisite constitutional majority was passed.

By Messrs. Allen and Wright of Richmond—

A bill to prohibit contributions by corporations or their officers or agents to campaign funds, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.



On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolutions were read, to wit:

By Mr. Alexander—

A resolution requesting the Governor not to submit the disfranchise Act passed at the last session for ratification.

By Mr. Russell—

A resolution to fix House bill No. 898 as a special order.

By unanimous consent the following Senate bill was read the first time, to wit:

By Mr. Felder of 22d district—

A bill to amend the charter of the city of Macon.

Referred to Special Judiciary Committee.

Leave of absence was granted Messrs. Simmons, Brown of Oglethorpe, Kendall, Callaway, Williams of Dodge, Hubbard, Couch, Eaves.

Mr. Barrett moved to adjourn, which motion prevailed, and the Speaker announced the House adjourned until 10 o'clock to-morrow.

ATLANTA, GA.,

Saturday, August 1, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day; was called to order by the Speaker, and opened with prayer by the Rev. W T Hamby.

By unanimous consent the roll-call and the reading of the Journal of yesterday's proceedings was dispensed with.

The order of business as fixed on yesterday was read.

The following bills were read the first time, to wit:

By Messrs. Candler and Alexander—

A bill to incorporate the town of Chamblee.

Referred to Committee on Corporations.

By Mr. Calbeck—

A bill authorizing the town of Calhoun to sell certain property.

Referred to Special Judiciary Committee.

By Mr. Jones of Mitchell—

A bill to amend an Act to incorporate the town of Pelham.

Referred to Committee on Corporations.

By Mr. Ward—

A bill to create the city court of Hazlehurst.

Referred to Special Judiciary Committee.

By Mr. Smith of Campbell—

A bill to fix qualifications for locomotive engineers.

Referred to General Judiciary Committee.

By Mr. Payton—

A bill to amend an Act to create the city court of Sylvester.

Referred to Special Judiciary Committee.

Mr. Candler, chairman of the Committee on Appropriations, submitted the following report:

*Mr. Speaker:*

The Committee on Appropriations have had under consideration the following bills of the House, and instruct me as their chairman to report same back with the recommendation that they do pass.

A bill to provide fund for the maintenance of the district agricultural schools.

A bill to appropriate certain money to the support and maintenance of the Georgia State Sanitarium.

A bill to make appropriation for the College of Agriculture at Athens.

A bill to supplement the amount appropriated for support of Railroad Commission.

A bill to appropriate money for support and maintenance of College of Agriculture at Athens.

A bill to amend the general appropriation Act so as to change method of paying pensions.

A bill to amend the general appropriation Act so as to make change in the appropriation for the Georgia School for the Deaf.

A bill to appropriate \$7,000 for the State Normal School at Athens.

Also the following resolutions with the recommendation that they do pass:

A resolution to pay \$572.00 to W L. Michael, and for other purposes.

A resolution for relief of "Palmer Locker Club" of Savannah.

A resolution to refund \$50.00 to Geo. M. Brinson.

Also the following, with the recommendation that they do not pass:

A resolution for relief of heirs of Sherman J. Sims.

A bill to make appropriation for Georgia State Reformatory.

A bill to erect a monument to memory of Wm. H. Crawford.

A bill to make appropriation to directors of Georgia Experiment Station.

A bill to appropriate \$5,000 to the State Technological School.

A bill to make appropriation for monument to Confederate soldiers in Johnson's Island.

A bill to make appropriation to Georgia School of Technology.

Also the following, with the recommendation that it do pass as amended:

A bill to make appropriation for the Georgia Normal and Industrial.

Also the following, with the recommendation that the author be allowed to withdraw the same:

A bill to appropriate \$20,000 for State Normal School at Athens.

Respectfully submitted.

C. M. CANDLER, Chairman.

Mr. Anderson, vice-chairman of Committee on General Judiciary, submitted the following report:

*Mr. Speaker:*

The Committee on General Judiciary having had under consideration the following bills of the House, instructed me as their vice-chairman to report same back to the House with the recommendation that same do pass, to wit:

A bill describing how ballots shall be printed and manner in which same shall be cast.

A bill to amend Act 2334, Code 1895, relating to venue of suits against railroad companies.

Also the following bill of the House, with the recommendation that same do pass as amended, to wit:

A bill to relate to the liability of common carriers to their employees in certain cases.

Also the following bill of the Senate, with the recommendation that same do pass as amended, to wit:

A bill to quiet the title to real estate in Georgia held under foreign wills.

The committee instructs me further to request that the House instruct the Committee on Rules to report House bill No. 939, known as the Smith employees liability bill, as a special and continuing order to be set immediately after the disposition of the special orders now pending in the House.

Respectfully submitted.

J. J. E. ANDERSON, Vice-Chairman.

Mr. Barrow, chairman of the Committee on Military Affairs, submitted the following report:

*Mr. Speaker:*

Your Committee on Military Affairs, having had under consideration Senate bill No. 196, begs to report that they recommend that the same do pass.

DAVID C. BARROW, Chairman.

The following bills were read the second time, to wit:

By Mr. McCarthy—

A resolution for relief of L. B. Riser, H. B. Silvers and others.

By Mr. Candler—

A bill to appropriate \$30,000 for support of College of Agriculture at Athens.

By Mr. McMahan—

A bill to appropriate \$7,000 for support of State Normal School.

By Messrs. Candler, Atkinson et al.—

A bill to amend an Act to make appropriation for ordinary expenses of State government.

By Mr. Hines—

A bill to appropriate \$15,000 for 1908, and \$30,000 for 1909 to support of State Sanitarium.

By Mr. Candler—

A bill to increase appropriations for 1907 for salaries of Railroad Commission.

By Mr. Candler—

A bill to amend Act to appropriate money for support of executive, legislative and judicial departments of government.

By Messrs. Martin, McMullan and Candler—

A bill to appropriate \$25,000 for 1908, and \$50,000 for 1909 for support of State Agricultural College.

By Mr. Barrett—

A bill to amend Act to make appropriations for ordinary expenses of the executive, legislative and judicial departments of State government.

By Mr. Tyson—

A resolution to pay \$50.00 to Geo. M. Brinson.

By Mr. Burkhalter—

A bill prescribing how ballots shall be printed.

By Mr. Alexander—

A bill to amend section 2334 of the Civil Code.

By Messrs. Wright and Chamlee—

A resolution to pay certain monies to W L. McMichael.

By Mr. Hines—

A bill to appropriate \$12,671.76 for infirmary for Georgia Normal and Industrial College.

The following bills were read the second time and re-committed, to wit:

By Mr. Payton—

A bill to amend charter of Sylvester.

By Mr. Eaves—

A bill to incorporate the town of Buchannan.



By Messrs. Slaton, Blackburn and Bell—

A bill to repeal the charter of Edgewood.

By Messrs. Slaton, Blackburn and Bell—

A bill to amend the charter of Atlanta.

By Messrs. Slaton, Blackburn and Bell—

A bill to repeal the charter of Battle Hill.

The following resolution was read, to wit

By Mr. Wright of Richmond—

A resolution to make House bill No. 19 a special order.

The following bills were read a third time and put upon their passage, to wit:

By Mr. Tyson—

A bill to prescribe the manner in which real estate belonging to Emanuel county may be sold.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Blackburn and Bell—

A bill to amend an Act to create the charter of College Park, so as to provide for election of mayor and aldermen.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Blackburn and Bell—

A bill to amend an Act to create the charter of College Park so as to create system of public schools.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Fowler, Hall and Ryals—

A bill to authorize the payment of certain moneys to Judge Jno. P. Ross.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 95, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Walker and Ashley—

A bill to amend an Act to incorporate the city of Valdosta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Pope of Brooks—

A bill to regulate the running of logcarts, etc., in Brooks county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Rogers of Randolph—

A bill to amend an Act to create a board of commissioners of roads and revenues for Randolph county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McWilliams—

A bill to amend an Act to remove obstructions from the streams of Henry county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Alexander and Candler—

A bill to create a system of public schools for the town of Lithonia.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Fullbright—

A bill to amend the charter of Waynesboro.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Flannigan and Holder—

A bill to amend the charter of the city of Winder.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cowan—

A bill to provide for the removal of obstructions from streams of Rockdale county

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayès were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Clifton of Toombs—

A bill to repeal an Act to incorporate the town of Ohoopee.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Huie of Clayton—

A bill to amend an Act to amend the charter of Jonesboro.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cook of Telfair—

A bill to amend an Act authorizing the creation of a system of public schools in the town of Lumber City.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 97, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Young and Tuggle—

A bill to amend the charter of the town of Hogansville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 97, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Brown of Carroll—

A bill to amend an Act to incorporate the town of Temple.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 97, nays 0.

The bill having received the requisite constitutional majority was passed.

The following Senate bills were read the first time, to wit:

By Mr. Henderson of 15th district—

A bill to abolish the office of commissioner of roads and revenues for Irwin county.

Referred to Counties and County Matters Committee.

By Mr. Henderson of 15th district—

A bill to create a board of commissioners of roads and revenues for Irwin county.

Referred to Counties and County Matters Committee.

By Mr. Henderson of 39th district—

A bill to empower local boards of school trustees to administer oaths to common school teachers.

Referred to Committee on Education.

By Mr. Cowart of 9th district—

A bill to amend Act creating a board of commissioners of roads and revenues for the county of Calhoun.

Referred to Counties and County Matters Committee.

By Mr. Mattox of 4th district—

A bill to amend the charter of the town of St. Mary's.

Referred to Committee on Corporations.

The following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Lashley of 40th district—

A bill to prohibit the taking of fish from Brasstown creek.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wilkes of 7th district—

A bill to incorporate the town of Kingwood.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

Leave of absence was granted Messrs. Gibson of Glascock and Walker of Washington.

The order of business having been completed, a motion to adjourn was put and carried, and the Speaker announced the House adjourned until 10 o'clock Monday morning.



ATLANTA, GA.,

Monday August 3, 1908.

The House met pursuant to adjournment at 10 oclock, a.m., this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

Mr Wright of Floyd moved to dispense with the roll-call, and no quorum having voted the Speaker directed that the roll be called to ascertain if a quorum be present. and those answering to their names were as follows:

Adams of Chatham,	Burkhalter,	Dorminy,
Adams of Elbert,	Burwell,	Dunbar,
Adams of Wilkinson,	Butt,	Duggan,
Adkins,	Calbeck,	Dykes,
Alexander,	Callaway,	Eaves,
Allen,	Candler,	Edmondson,
Anderson of Bulloch,	Cannon,	Edwards,
Anderson of Cobb,	Chamlee,	Ellison,
Arnold,	Clark,	Estes,
Ashley,	Clifton,	Fagan,
Atkinson,	Collum,	Flanders,
Atwater,	Cook of Chat'hoochee,	Flannigan,
Austin,	Cook of Telfair,	Foster,
Ballard,	Cooke of Thomas,	Fowler,
Barksdale,	Covington,	Fraser,
Barrett,	Couch,	Frier,
Barrow,	Cowan,	Fullbright,
Bell,	Crawford,	Furr,
Berry,	Crumbley,	Geer,
Blackburn,	Culbreth,	Gibson,
Bond,	Daniel,	Glenn,
Bowen,	Davis,	Godley,
Boyd,	Davison,	Goode,
Brown of Carroll,	Dean,	Guyton,
Brown of Oglethorpe,	Dickey,	Hall,
Buchannon,	Donalson,	Hamilton,

Hardeman,	Maxwell,	Stephens,
Harris,	Mays,	Stewart,
Haywood,	Mercer,	Strickland,
Heard,	Moore,	Stubbs,
Hill,	Morris,	Sumner,
Hines,	Mundy,	Swilling,
Holder,	Nix,	Taylor of Appling,
Howard,	Nowell,	Taylor of Sumter,
Hubbard,	Odum,	Terrell,
Huff,	Orr,	Thorne,
Huie,	Parker,	Thurman,
Hullender,	Parrish,	Tift,
Jackson,	Payton,	Townsend,
Johnson of Jasper,	Perry,	Tracy,
Johnson of Jeff Davis,	Persons,	Trent,
Johnson of Towns,	Peterson,	Tuggle,
Jones of Meriwether,	Pope of Brooks,	Tyson,
Jones of Mitchell,	Pope of Dade,	Walker of Lowndes,
Keith,	Powell,	Walker of Milton,
Kendall,	Price of Bartow,	Walker of Wash'ton,
Kendrick,	Price of Oconee,	Ward,
Lee,	Reid of Macon,	Warnell,
Lively,	Reid of Putnam,	Watkins,
Lumsden,	Reid of Wilcox,	White of Madison,
Lunsford,	Rogers,	White of Screven,
Matthews,	Rountree,	Whitley,
MacFarland,	Russell,	Williams,
McCarthy,	Ryals,	Wilson,
McIntyre,	Shaw,	Wise,
McMahan,	Sheffield,	Wootten,
McMichael,	Simmons,	Wright of Floyd,
McMullan,	Slade,	Wright of Richmond,
McWilliams,	Slater,	Wynne,
Martin,	Smith of Calhoun,	Young,
Massengale,	Smith of Campbell,	Mr. Speaker.

Mr. Hall of Bibb gave notice that at the proper time he move to reconsider the action of the House in passing House bill No. 1037 on last Saturday.

By unanimous consent the reading of the Journal of Saturday's proceedings was dispensed with.

Mr. Hall, vice-chairman of the Committee on Rules, submitted the following report

*Mr. Speaker:*

Your Committee on Rules have had under consideration House resolutions Nos. 168, 186, 189, 188, 190, 198, 200, 201, 202, 205, 208, 210, 223, 225, 227, 229, 236, 237, 238, 239, 240, 241, 247, 248, 251, 253, 256, 262, 266, 265, 268, 269, 270, 271, 276, all of said resolutions having reference to making certain bills special orders. In view of the large number of these requests on the part of members of the House for special orders, the committee found it impossible to report on all these resolutions and find a time in which to give them a special order, and in view of the fact that if the regular order of business was adhered to by the House many of the bills included in these resolutions would be reached on the calendar the committee have instructed me to report to the House the following recommendation, to wit:

After the special orders now pending are disposed of that on Monday, Tuesday and Wednesday the House will give its attention to the bills on the calendar in the order in which they appear.

I am further instructed by the committee to report the following resolution to the House and ask its adoption:

That it shall not be in order for any member to ask unanimous consent of the House to introduce a bill or to read a bill the second or third time except during the first half hour of each session; and further, that the Speaker shall not recognize any member for the purpose of making such request except during the time specified above.

JOS. H. HALL, Vice-Chairman.

By unanimous consent the above resolution embodied in the report of the Committee on Rules was made applicable after to-day.

The foregoing resolution embodied in the report of the Rules Committee was amended as follows:

By Mr. Dunbar—

To strike words “first half hour of each session” and substitute “first half hour after the adoption of the Journal.”

By Mr. Foster—

To amend by adding to end of resolution the words, “provided, that House bill No. 69, known as the pension bill, be made a special continuing order for Wednesday, August 5, 1908, immediately after confirmation of the Journal.”

The following resolution was read, to wit:

By Mr. McMichael—

A resolution to fix House bills Nos. 191, 192, 193 as special orders as early as possible, and instructing Committee on Rules to report accordingly.

The resolution was lost.

By unanimous consent the following bills were read the first time, to wit:

By Messrs. Alexander and Candler—

A bill to authorize the county of DeKalb to issue bonds.

Referred to Counties and County Matters Committee.

By Messrs. Alexander and Candler—

A bill to amend the charter of Kirkwood.

Referred to Counties and County Matters Committee.

By Messrs. Alexander and Candler—

A resolution to furnish all Georgia Reports to the county of DeKalb.

Referred to Committee on Public Library.

By Mr. Candler of DeKalb—

A resolution to provide for payment of expenses of joint committee to investigate charges against prison department.

Referred to Committee of Whole House.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. Reid of Macon—

A bill to amend an Act to establish the city court of Oglethorpe.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent the following bill was read the second time and recommitted, to wit:

By Mr. Massengale of Warren—

A bill to amend an Act to incorporate the town of Norwood.

The following bills were read the third time and put upon their passage, to wit:

By Mr. Orr of Coweta—

A bill to establish the city court of Newnan.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. McWilliams of Henry—

A bill to repeal an Act to create a county court in each county of this State, so far as the same applies to the county of Henry

The substitute offered by the committee was read and the following amendment was read, to wit:

By Mr. McWilliams—

To amend section 1 of the substitute by striking the following in said section: "Provided, however, that this Act shall not take effect until October 28, 1908."

The amendment was adopted, and the substitute was then adopted as amended.

The report of the committee, which was favorable to

the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill the ayes were 92, nays 0.

The bill having received the requisite constitutional majority was passed by substitute as amended.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to incorporate the town of Franklin, in the county of Heard.

Also a bill to create a new charter for the town of Iron City, in the county of Decatur.

Also a bill to create a new charter for the town of Glenwood, in the county of Montgomery.

Also a bill to create a new charter for the city of Jackson.

Also a bill to establish a public school system for the town of Mansfield.

Also a bill to create the office of commissioner of roads and revenues for the county of Carroll.

Also a bill to incorporate the town of Between in the county of Walton.

Also a bill to amend the Act creating the city court of Monticello.

Also a bill to create a board of county commissioners for the county of Baker.

Also a bill to amend an Act to establish the city court of Newton in and for the county of Baker.

Also a bill to incorporate the city of Kingsland, in the county of Camden.

Also a bill to create a board of commissioners of roads and revenues for the county of Cherokee.

Also a bill to establish a new charter for the town of Fairmount, in the county of Gordon.

Also a bill to amend section 982 of volume 1 of the Code of 1895.

Also a bill to amend the charter of the town of Ochlocknee, in the county of Thomas.

Also a bill to incorporate the town of Williamsville, in the county of Walton.

Also a bill to incorporate the town of Vidette, in the county of Burke.

Also a bill to provide for the creation of a board of health for the city of Athens.

Also a bill to amend an Act to establish the city court of Dalton.

Also a bill to authorize the Governor to appoint a third State depository in the city of Atlanta.

Also a bill to repeal an Act incorporating the town of Eatonton.



Also a bill to incorporate the town of Chalybeate Springs, in the county of Meriwether.

Also a bill to incorporate the town of Gratis, in the county of Walton.

Also a bill to incorporate the town of Orland, in the county of Montgomery.

Also a bill to repeal the charter of the town of Ellijay.

Also a bill to amend an Act creating the city court of Buford.

Also a bill to incorporate the town of Woodbine.

Also a bill to amend an Act to create the city court of Sparta, in and for the county of Hancock.

Also a bill to repeal an Act incorporating the town of Culverton, in the county of Hancock.

Also a bill to create a board of county commissioners for Crisp county.

Also a bill to incorporate the town of Blairsville.

Also a bill to amend the charter of the city of Griffin.

Also a bill to repeal an Act establishing a new charter for the town of Franklin.

Also a bill to amend the charter of the city of Norcross.

Also a bill to repeal an Act approved December 6, 1900, entitled "an Act to repeal an Act to create a county court in each county in the State of Georgia, except certain counties therein mentioned," etc.

Also a bill to authorize the mayor and council of Decatur to issue bonds for school purposes.

Also a bill to authorize the mayor and council of Decatur to issue bonds for waterworks purposes.

Also a bill to empower the mayor and aldermen of Calhoun to convey by deed to D. L. Gardner a parcel of the town commons.

Also a bill to provide a new charter for the town of East Point.

Also a bill to authorize the city of Lavonia to establish a system of public schools.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended, by the requisite constitutional majority, the following House bills, to wit:

A bill to create a city court for Wrightsville.

Also a bill to amend the charter of the town of Fairburn.

The Senate has passed, by the requisite constitutional majority, the following Senate bills, to wit:

A bill to amend the charter of the city of Athens.

Also a bill to provide for maintenance and repair of bridge across the Flint river, in Macon county, known as the Upper or Montezuma bridge.

Also a bill to amend an Act to create in the Treasury Department of the State of Georgia a bank bureau.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, as amended, by the requisite constitutional majority, the following House bill, to wit:

A bill to create a board of commissioners of roads and revenues for Appling county.

The following bill, proposing an amendment to the Constitution, was offered:

By Mr. Hall of Bibb—

The following amendment to the Constitution is hereby proposed by the House of Representatives of the General Assembly of said State:

That article seven (7), section six (6) of the Constitution of said State be amended as follows, to wit:

By adding to paragraph two (2) of said section and article the following words, to wit: "To pay the county police, and to provide for necessary sanitation."

That when the above and foregoing amendment has been agreed to by two-thirds of the members of each House of the present General Assembly, it shall be the duty of the Governor, and he is, hereby directed to cause the same to be published in one or more newspapers in each Congressional district in this State two months before the next general election; and the Governor of this State is further required and directed after having said amendment so published as aforesaid to submit the same to the people at the said next general election for their

ratification or rejection. The form of such submission shall be as follows, to wit: "For ratification of amendment to article 7, section 6 of the Constitution." "Against ratification of amendment to article 7, section 6 of the Constitution."

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes and nays were ordered, and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Covington,	Harris,
Adams of Elbert,	Cowan,	Haywood,
Adkins,	Crawford,	Heard,
Alexander,	Daniel,	Hines,
Anderson of Bulloch,	Davison,	Holder,
Anderson of Cobb,	Dean,	Howard,
Arnold,	Donalson,	Huff,
Ashley,	Dorminy,	Huie,
Atkinson,	Dunbar,	Jackson,
Austin,	Duggan,	Johnson of Jeff Davis,
Ballard,	Dykes,	Johnson of Towns,
Barksdale,	Edmondson,	Jones of Meriwether,
Barrett,	Estes,	Keith,
Barrow,	Fagan,	Kendall,
Bell,	Flanders,	Kendrick,
Berry,	Flannigan,	Lee,
Blackburn,	Foster,	Lively,
Boyd,	Fowler,	Lumsden,
Brown of Carroll,	Fraser,	Lunsford,
Burwell,	Frier,	MacFarland,
Butt,	Fullbright,	McCarthy,
Calbeck,	Glenn,	McMahan,
Candler,	Godley,	McMichael,
Cannon,	Goode,	Martin,
Chamlee,	Guyton,	Massengale,
Clark,	Hall,	Maxwell,
Collum,	Hamilton,	Mays,
Cook of Chat'hoochee,	Hardeman,	Mercer,

Moore,	Ryals,	Townsend,
Morris,	Shaw,	Tracy,
Nix,	Sheffield,	Trent,
Nowell,	Slade,	Tyson,
Odum,	Slater,	Walker of Milton,
Orr,	Smith of Calhoun,	Walker of Wash'ton,
Parrish,	Smith of Campbell,	Ward,
Payton,	Stephens,	Watkins,
Perry,	Stewart,	White of Madison,
Persons,	Stubbs,	White of Screven.
Powell,	Sumner,	Whitley,
Reid of Macon,	Taylor of Sumter,	Wilson,
Reid of Putnam,	Terrell,	Wise,
Rogers,	Thorne,	Wright of Richmond,
Russell,	Tift,	Young,

Those voting in the negative were Messrs.—

Burkhalter,	Edwards,	Pope of Dade,
Clifton,	Ellison,	Taylor of Appling.
Cooke of Thomas,	McWilliams,	Wright of Floyd,

Those not voting were Messrs.—

Adams of Wilkinson.	Geer,	Price of Bartow,
Allen,	Gibson,	Price of Oconee,
Atwater,	Hill,	Reid of Wilcox,
Bond,	Hubbard,	Rountree,
Bowen,	Hullender,	Simmons,
Brown of Oglethorpe,	Johnson of Jasper,	Strickland,
Buchannon,	Jones of Mitchell,	Swilling,
Callaway,	Matthews,	Thurman,
Cook of Telfair,	McIntyre,	Tuggle,
Couch,	McMullan,	Walker of Lowndes,
Crumbley,	McWilliams,	Warnell,
Culbreth,	Mundy,	Williams,
Davis,	Parker,	Wootten,
Dickey,	Peterson,	Wynne,
Eaves,	Pope of Brooks,	Mr. Speaker.
Furr,		

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 129, nays 9.

The bill having received the necessary two-thirds majority was passed, and on motion of Mr. Hall was ordered immediately transmitted to the Senate.

Mr. Donalson moved that the last five minutes of the session be devoted to the reading of reports of standing committees, and the introduction of new matter, which motion prevailed.

The following continuing special order was read the third time and put upon its passage, to wit:

By Mr. Fraser of Liberty—

A bill to provide for the propagation and protection of game and fish, for the appointment of a State game warden and deputy wardens, and for other purposes.

On motion of Mr. Fraser the Speaker resolved the House into a committee of the whole for a consideration of the bill and designated as chairman Mr. Hall of Bibb.

After considering the bill the committee arose and through its chairman reported progress and asked leave to sit again.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. Godley of Camden—

A bill to repeal an Act to create county courts in this State so far as the same applies to the county of Camden.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 93, nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolution was read and unanimously adopted, to wit:

By Mr. Boyd of Spalding—

A resolution extending the sympathy of the House to Hon. J. J. Flynt, President of the Senate, in the death of his father.

The following bills were taken up and the Senate amendments concurred in, to wit:

By Mr. Flanders of Johnson—

A bill to create the city court of Wrightsville.

The Senate proposed to amend section 6 by striking all of said section after word “that” in line 2 and before the word “hold” in line 4, and inserting the words, “J. M. Walker be, and he is, hereby made clerk of said city court, and he shall.”

To amend section 7 by striking all of said section after word “that” in line 2 and before word “whose” in line 4, and inserting the following: “S. J. Moye be, and he is, hereby made sheriff of said city court.”

By Mr. Smith of Campbell—

A bill to amend the charter of the town of Fairburn.

The Senate proposed to amend by striking all of section 9 and substituting the following:

“Sec. 9. All children between the ages of six and eighteen years who are bona fide residents of said town with

their parents or guardians, shall be entitled to the benefits of said schools, and no such child or children shall be required to pay any tuition, but the board of education shall require children who are over the above-mentioned school age and children living outside the corporate limits of said town to pay tuition for and during the school term provided by the board in such sum as said board shall fix. All such tuition shall be used for the maintenance of said public school system and must be used and accounted for in the same manner as any other funds."

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters has had under consideration the following House bills, and as its chairman I am instructed to report to the House that the committee recommends that all of them do pass:

House bill No. 921.

House bill No. 1115.

House bill No. 1123.

House bill No. 1124.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

This August 3, 1908.

Mr. Blackburn, chairman of the Special Judiciary Committee, submitted the following report:



*Mr Speaker:*

Your Committee on Special Judiciary has had under consideration House bill No. 1100, entitled an Act to authorize certain cities to commit certain persons to farms and other places designated, and as its chairman I am directed to report the same back with the recommendation that it do pass.

R. B. BLACKBURN, Chairman.

The Speaker appointed the following committee of conference on anti-lobbying bill:

Messrs. Wright of Floyd, Alexander, Covington.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Tuesday, August 4, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day; was called to order by the Speaker, and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Anderson of Bulloch,	Austin,
Adams of Elbert,	Anderson of Cobb,	Ballard,
Adams of Wilkinson,	Arnold,	Barksdale,
Adkins,	Ashley,	Barrett,
Alexander,	Atkinson,	Barrow,
Allen,	Atwater,	Bell,

Berry,	Flannigan,	McMichael,
Blackburn,	Foster,	McMullan,
Bond,	Fowler,	McWilliams,
Bowen,	Fraser,	Martin,
Boyd,	Frier,	Massengale,
Brown of Carroll,	Fullbright,	Maxwell,
Brown of Oglethorpe,	Furr,	Mays,
Buchannon,	Geer,	Mercer,
Burkhalter,	Gibson,	Moore,
Burwell,	Glenn,	Morris,
Butt,	Godley,	Mundy,
Calbeck,	Goode,	Nix,
Callaway,	Guyton,	Nowell,
Candler,	Hall,	Odum,
Cannon,	Hamilton,	Orr,
Chamlee,	Hardeman,	Parker,
Clark,	Harris,	Parrish,
Clifton,	Haywood,	Payton,
Collum,	Heard,	Perry,
Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbley,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell,
Dickey,	Jones of Mitchell,	Ryals,
Donalson,	Keith,	Shaw,
Dorminy,	Kendall,	Sheffield,
Dunbar,	Kendrick,	Simmons,
Duggan,	Lee,	Slade,
Dykes,	Lively,	Slater,
Eaves,	Lumsden,	Smith of Calhoun,
Edmondson,	Lunsford,	Smith of Campbell,
Edwards,	Matthews,	Stephens,
Ellison,	MacFarland,	Stewart,
Estes,	McCarthy,	Strickland,
Fagan,	McIntyre,	Stubbs,
Flanders,	McMahan,	Sumner,

Swilling,	Tuggle,	Whitley,
Taylor of Appling,	Tyson,	Williams,
Taylor of Sumter,	Walker of Lowndes,	Wilson,
Terrell,	Walker of Milton,	Wise,
Thorne,	Walker of Wash'ton,	Wootten,
Thurman,	Ward,	Wright of Floyd,
Tift,	Warnell,	Wright of Richmond,
Townsend,	Watkins,	Wynne,
Tracy,	White of Madison,	Young,
Trent,	White of Screven,	Mr. Speaker.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Candler asked unanimous consent that all bills and resolutions favorably reported by the Committee on Appropriations be made the special continuing order for Thursday morning, August 6th, immediately after the confirmation of the Journal, which was granted.

By unanimous consent the following Senate bill was read the second time, to wit:

By Mr. Felder of 22d district—

A bill to quiet the title to real estate in Georgia held under foreign wills.

By unanimous consent the following resolution was read the third time and put upon its passage, to wit:

By Mr. Tracy of Webster—

A resolution to pay pension due Mrs. E. J. Coker to A. M. Johnson, her son-in-law.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Dean of Floyd.

After a consideration of the resolution the committee arose, and through its chairman reported the same do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Estes,	Mays,
Adams of Elbert,	Flanders,	Mercer,
Adams of Wilkinson,	Foster,	Moore,
Adkins,	Fowler,	Morris,
Alexander,	Fraser,	Nowell,
Anderson of Cobb,	Frier,	Orr,
Arnold,	Furr,	Payton,
Atkinson,	Glenn,	Persons,
Austin,	Godley,	Pope of Dade,
Ballard,	Guyton,	Powell,
Barksdale,	Hamilton,	Price of Oconee,
Barrett,	Heard,	Reid of Macon,
Bowen,	Hines,	Reid of Putnam,
Brown of Carroll,	Holder,	Rogers,
Brown of Oglethorpe.	Hullender,	Ryals,
Buchannon,	Johnson of Jeff Davis,	Shaw,
Butt,	Johnson of Towns,	Simmons,
Calbeck,	Jones of Meriwether	Slade,
Candler,	Kendall,	Slater,
Chamlee,	Kendrick,	Smith of Campbell,
Cooke of Thomas,	Lee,	Stephens,
Covington,	Lively,	Strickland,
Cowan,	Lumsden,	Sumner,
Davison,	Matthews,	Taylor of Appling,
Dean,	MacFarland,	Taylor of Sumter,
Dickey,	McCarthy,	Terrell,
Dorminy,	McMahan,	Thorne,
Duggan,	McMullan,	Thurman,
Dykes,	McWilliams,	Tracy,
Faves,	Martin,	Trent,
Edmondson,	Massengale,	Tuggle,
Ellison,	Maxwell,	Tyson,

Walker of Milton,	Watkins,	Wright of Richmond,
Walker of Wash'ton,	Whitley,	Young,
Ward,	Wilson,	

Those voting in the negative were Messrs.—

Allen,	Crawford,	Howard,
Anderson of Bulloch,	Culbreth,	Huff,
Berry,	Daniel,	McIntyre,
Boyd,	Edwards,	Parrish,
Burkhalter,	Fagan,	Stubbs,
Cannon,	Flannigan,	Swilling,
Clifton,	Harris,	Townsend,
Collum,	Haywood,	White of Screven,
Cook of Chat'hoochee,	Hill,	Wootten,

Those not voting were Messrs.—

Ashley,	Goode,	Pope of Brooks,
Atwater,	Hall,	Price of Bartow,
Barrow,	Hardeman,	Reid of Wilcox,
Bell,	Hubbard,	Rountree,
Blackburn,	Huie,	Russell,
Bond,	Jackson,	Sheffield,
Burwell,	Johnson of Jasper,	Smith of Calhoun,
Callaway,	Jones of Mitchell,	Stewart,
Clark,	Keith,	Tift,
Cook of Telfair,	Lunsford,	Walker of Lowndes,
Couch,	McMichael,	Warnell,
Crumbley,	Mundy,	White of Madison,
Davis,	Nix,	Williams,
Donalson,	Odum,	Wise,
Dunbar,	Parker,	Wright of Floyd,
Fullbright,	Perry,	Wynne,
Geer,	Peterson,	Mr. Speaker.
Gibson,		

The roll-call was verified and on counting the votes cast it was found that the ayes were 104, nays 27.

The resolution having received the requisite constitutional majority was passed.

The following privilege resolution was read and adopted, to wit:

By Mr. Persons—

A resolution instructing the committee of the whole to report the game and fish bill back to the House by 10.30 o'clock, and that a vote be then taken thereon.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker.*

The Senate has passed by the requisite constitutional majority the following House bill, to wit

A bill to amend an Act to incorporate the town of Hoshton, in the county of Jackson.

The Senate has passed by the requisite constitutional majority the following Senate bill, to wit:

A bill to provide for resurvey of disputed county lines.

On motion of Mr. Fraser of Liberty the following special order was taken up for a further consideration of the House, to wit:

By Mr. Fraser—

A bill providing for the preservation, propagation and protection of game and fish in this State, and for other purposes.

The Speaker again resolved the House into a committee of the whole, and Mr. Hall of Bibb, its former chairman, resumed the chair.

After a consideration of the bill the committee arose and through its chairman reported the same back with the recommendation that it do pass as amended.

The previous question was called and the main question ordered.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows :

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Fraser,	Powell,
Adams of Elbert,	Frier,	Reid of Putnam,
Adkins,	Furr,	Rogers,
Alexander,	Glenn,	Russell,
Allen,	Guyton,	Ryals,
Anderson of Bulloch,	Hamilton,	Shaw,
Atkinson,	Heard,	Sheffield,
Ballard,	Huff,	Slade,
Barksdale,	Huie,	Slater,
Barrow,	Johnson of Jeff Davis,	Smith of Campbell,
Bell,	Lively,	Stubbs,
Blackburn,	Lumsden,	Sumner,
Brown of Oglethorpe,	Matthews,	Thorne,
Buchannon,	MacFarland,	Tift,
Burwell,	McMichael,	Tracy,
Butt,	McMullan,	Tuggle,
Candler,	Martin,	Tyson,
Clifton,	Massengale,	Ward,
Cook of Telfair,	Moore,	White of Screven,
Daniel,	Morris,	Wise,
Dean,	Orr,	Wright of Floyd,
Duggan,	Payton,	Wright of Richmond,
Fagan,	Perry,	Young,
Flannigan,	Persons,	

Those voting in the negative were Messrs.—

Adams of Wilkinson,	Berry,	Calbeck,
Anderson of Cobb,	Bowen,	Cannon,
Ashley,	Boyd,	Chamlee,
Austin,	Brown of Carroll,	Clark,
Barrett,	Burkhalter,	Collum,

Cook of Chat'hoochee,	Hardeman,	Parker,
Cooke of Thomas,	Harris,	Parrish,
Covington,	Haywood,	Pope of Dade,
Cowan,	Hill,	Price of Oconee,
Crawford,	Hines,	Reid of Macon,
Culbreth,	Holder,	Stephens,
Davis,	Howard,	Stewart,
Davison,	Hullender,	Strickland,
Dickey,	Jackson,	Swilling,
Donalson,	Johnson of Towns,	Taylor of Appling,
Dykes,	Jones of Meriwether,	Taylor of Sumter,
Eaves,	Keith,	Terrell,
Edwards,	Kendall,	Thurman,
Ellison,	Kendrick,	Townsend,
Estes,	Lee,	Trent,
Flanders,	McCarthy,	Walker of Milton,
Fowler,	McIntyre,	Walker of Wash'ton,
Godley,	McMahan,	Watkins,
Goode,	McWilliams,	White of Madison,
Hall,	Odum,	Wooten,

Those not voting were Messrs.—

Arnold,	Hubbard,	Price of Bartow,
Atwater,	Johnson of Jasper,	Reid of Wilcox,
Bond,	Jones of Mitchell,	Rountree,
Callaway,	Lunsford,	Simmons,
Couch,	Maxwell,	Smith of Calhoun,
Crumbley,	Mays,	Walker of Lowndes,
Dorminy,	Mercer,	Warnell,
Dunbar,	Mundy,	Whitley,
Edmondson,	Nix,	Williams,
Foster,	Nowell,	Wilson,
Fullbright,	Peterson,	Wynne,
Geer,	Pope of Brooks,	Mr. Speaker.
Gibson,		

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 71, nays 75.

The bill having failed to receive the requisite constitutional majority was lost.



On motion of Mr Heard the session of the House was extended three minutes for the purpose of reading Senate bill No. 185 the first time.

Mr Parker, chairman of the Committee on Enrollment, submitted the following report

*Mr Speaker* :

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready to be delivered to the Governor the following Acts, to wit :

An Act to repeal an Act of the General Assembly, approved August 29, 1879, incorporating the town of Eatonton.

An Act to create and establish a new charter for the city of Eatonton.

By unanimous consent the session was extended for ten minutes for the purpose of :

1. Reading Senate bills first and second time.
2. Reports of standing committees.
3. Introduction of new matter.
4. Reading general bills, local application.

The following resolution was read, to wit :

By Mr Wise—

A resolution to fix House bill 1108 as a special order, with instructions to Committee on Rules to report same.

Pending discussion of the above resolution the regular hour of adjournment arrived and the special order pre-

viously fixed was taken up, which was the following Senate bill for first reading, to wit:

By Mr. Dean of Floyd—

A bill to amend an Act to create a bank bureau in the State Treasury Department.

Referred to Committee on Banks and Banking.

The session having been extended for the purpose, the following Senate bill was read the first time, to wit:

By Mr. Hays of 13th district—

A bill to provide for maintenance and repair of the bridge across Flint river in Macon county, known as Upper or Montezuma bridge.

Referred to Counties and County Matters Committee.

By Mr. Griffin of 21st district—

A bill to provide for resurvey of disputed county lines.

Referred to General Judiciary Committee.

By Mr. Hawes of 30th district—

A bill to amend the charter of the city of Athens.

Referred to Committee on Corporations.

The following Senate bills were read the second time, to wit:

By Mr. Hardman of 33d district—

A bill to provide for election of pension commissioner by the people.

By Mr. Felder of 22d district—

A bill to prescribe the duties of electric telegraph companies in receiving and transmitting messages.

By Mr. Hardman of 33d district—

A resolution urging Congress to establish a national health bureau.

By Mr. Williford of 28th district—

A bill to change the school year so as to begin September 1st and close August 31st.

By Mr. Stephens of the 1st district—

A bill to regulate compensation of judges of superior courts for services rendered outside their circuits.

By Mr. Weaver of 41st district—

A bill to prohibit unfair commercial discrimination between different sections.

By Mr. Williford of 28th district—

A bill to amend section 342 of the Penal Code.

The ten minutes extension of the session having expired during the reading of Senate bills the second time, the Speaker announced the House adjourned until 9 o'clock to-morrow morning.

ATLANTA, GA.,

Wednesday, August 5, 1908.

The House met pursuant to adjournment at 9 o'clock, a.m., this day; was called to order by the Speaker and opened with prayer by the Chaplain.

On motion of Mr. Wright of Floyd the roll-call was dispensed with.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent Mr. Perry, chairman of the Committee on Amendments to the Constitution, submitted the following report:

*Mr Speaker:*

The Committee on Amendments to the Constitution having under consideration the bills hereinafter mentioned beg to report as follows:

That Senate bill No. 63, which was recommitted, do pass as amended.

That House bill No. 988 do pass as amended.

Respectfully submitted.

H. H. PERRY, Chairman.

By unanimous consent the following resolution was read the second time, to wit:

By Mr Candler—

A resolution to pay expenses incurred by special joint committee to investigate the Prison Commission, etc.

By unanimous consent the following Senate bill was read the third time and put upon its passage, to wit:

By Mr Henderson of 15th district—

A bill to be entitled an Act to amend section 3, article 3 of the Constitution of this State, which provides for the number of members of the House of Representatives, by striking out paragraph 1 of said section of said article as amended by an Act approved July 27, 1904, and substituting in lieu thereof a paragraph allowing an increase in the number of members of said House and naming the counties now entitled to more than one representative, thus giving representation to Ben Hill county.

Section 1. Be it enacted by the General Assembly of the State of Georgia, that paragraph 1 of section 3, article 3 of the Constitution of Georgia, as amended by an Act approved July 27, 1904, is hereby amended by being stricken and having in lieu thereof the following substituted:

“Paragraph 1. The House of Representatives shall consist of not more than 184 representatives, apportioned among the several counties as follows, to wit: To the six counties having the largest population, viz.: Chatham, Bibb, Floyd, Fulton, Richmond and Thomas, three representatives each; to the twenty-six counties having the next largest population, viz.: Bartow, Bulloch, Burke, Cobb, Carroll, Coweta, DeKalb, Decatur, Dooly, Elbert, Emanuel, Gwinnett, Hall, Houston, Jackson, Laurens,

Lowndes, Meriwether, Monroe, Muscogee, Sumter, Tatt-nall, Troup, Walton, Washington and Wilkes, two (2) representatives each, and to the remaining counties one representative each."

Sec. 2. Be it further enacted by the authority aforesaid, That when said amendment shall be agreed to by two-thirds of the members elected to each House, it shall be entered upon the Journal of each House with the yeas and nays thereon, and published in one or more newspapers in each Congressional district in said State for two (2) months previous to the time for holding the next general election, and shall, at said next general election, be submitted to the people for ratification in the following form, to wit: "For ratification," or "Against ratification," and if a majority of the electors qualified to vote for members of the General Assembly voting thereon shall vote for ratification, having written or printed on their ballots "For ratification," which votes cast at said election shall be consolidated as now required by law in elections for members of the General Assembly and return thereof made to the Governor, then he shall declare said amendment adopted and make proclamation of the result of said election by publication of results of said election in one or more newspapers in each Congressional district of the State.

The committee proposed to amend section 1 by striking out all after the word "amended" in the 4th line and substituting the following: By striking "183 representatives" in the said paragraph of the Constitution as amended and substituting "184 representatives."

The above amendment was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Davis,	Jackson,
Adams of Elbert,	Davison,	Johnson of Jeff Davis,
Adkins,	Dean,	Johnson of Towns,
Alexander,	Dickey,	Jones of Meriwether.
Anderson of Bulloch,	Dunbar,	Keith,
Anderson of Cobb,	Duggan,	Kendall,
Arnold,	Dykes,	Kendrick,
Ashley,	Eaves,	Lee,
Atkinson,	Edmondson,	Lively,
Austin,	Edwards,	Lumsden,
Barrett,	Ellison,	Matthews,
Barrow,	Estes,	MacFarland,
Blackburn,	Flanders,	McCarthy,
Bowen,	Flannigan,	McIntyre,
Boyd,	Foster,	McMahan,
Brown of Carroll,	Fowler,	McMichael,
Brown of Oglethorpe,	Fraser,	McMullan,
Buchannon,	Frier,	Martin,
Burkhalter,	Fullbright,	Maxwell,
Burwell,	Furr,	Mays,
Butt,	Geer,	Moore,
Calbeck,	Gibson,	Morris,
Candler,	Glenn,	Mundy,
Cannon,	Godley,	Nix,
Chamlee,	Goode,	Nowell,
Clark,	Guyton,	Odum,
Clifton,	Hall,	Orr,
Collum,	Hamilton,	Parker,
Cook of Chat'hoochee,	Harris,	Parrish,
Cook of Telfair,	Haywood,	Perry,
Cooke of Thomas,	Heard,	Persons,
Covington,	Hines,	Pope of Dade,
Couch,	Holder,	Price of Oconee,
Cowan,	Howard,	Reid of Putnam,
Crawford,	Huff,	Reid of Wilcox,
Culbreth,	Huie,	Rogers,

Rountree,	Taylor of Sumter,	Warnell,
Ryals,	Terrell,	Watkins,
Shaw,	Thorne,	White of Madison,
Simmons,	Thurman,	White of Screven,
Slade,	Tracy,	Williams,
Smith of Calhoun,	Trent,	Wilson,
Stephens,	Tuggle,	Wise,
Stubbs,	Walker of Lowndes,	Wootten,
Sumner,	Walker of Milton,	Wright of Floyd,
Swilling,	Walker of Wash'ton,	Young,
Taylor of Appling,	Ward,	

Those not voting were Messrs.—

Adams of Wilkinson,	Hardeman,	Price of Bartow,
Allen,	Hill,	Reid of Macon,
Atwater,	Hubbard,	Russell,
Ballard,	Hullender,	Sheffield,
Barksdale,	Johnson of Jasper,	Slater,
Bell,	Jones of Mitchell,	Smith of Campbell,
Berry,	Lunsford,	Stewart,
Bond,	McWilliams,	Tift,
Callaway,	Massengale,	Townsend,
Crumbley,	Mercer,	Tyson,
Daniel,	Payton,	Whitley,
Donalson,	Peterson,	Wright of Richmond,
Dorminy,	Pope of Brooks,	Wynne,
Fagan,	Powell,	

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 140, nays 0.

The bill having received the requisite two-thirds majority was passed as amended.

By unanimous consent the above bill was ordered immediately transmitted to the Senate.

Mr. Adkins of Dooly moved that the session be extended for fifteen minutes for the purpose of reading committee reports.



It was proposed to amend by adding that House and Senate bills be read a second time and that concurrence in Senate amendments to local house bills be also in order

Mr. Alexander proposed as a substitute for the above motion the following resolution, to wit:

A resolution providing that until otherwise ordered there shall be an afternoon session for the purpose of

1. Reading all bills and resolutions second time.
2. Reading local bills and resolutions third time.
3. Reading general bills with local application third time.

Mr. Wise proposed to amend by adding to the above the reading reports of standing committees.

Mr. Davis of Houston proposed to amend by taking up local House bills for concurrence in Senate amendments.

The amendments were adopted.

The motion of Mr. Adkins was then adopted by substitute as amended.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by the requisite constitutional majority the following bills of the House, to wit

A bill to amend the charter of the town of Perry, in the county of Houston.

A bill to abolish the county court of Houston county.

The Senate has passed as amended, by the requisite constitutional majority, the following bill of the House, to wit:

A bill to establish a city court in and for the county of Houston.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr. Speaker*

The Senate has passed by the requisite constitutional majority the following bills of the Senate, to wit

A bill to require a tax or license on all persons selling or soliciting orders for photographs, etc., in the county of Harris.

A bill to amend the charter of the city of Marietta.

A bill to repeal an Act incorporating the town of Battle Hill, in the county of Fulton.

A bill to repeal an Act incorporating the town of Edgewood in the county of DeKalb.

A bill to amend the charter of the city of Atlanta.

The following message was received from the Senate through Mr. Northen, Secretary thereof:

*Mr Speaker*

The Senate has passed by the requisite constitutional majority the following Senate bill, to wit:

A bill to regulate publication of legal advertisements

in all counties having a population of not less than 20,400 and not more than 20,500.

The following special order for this morning was taken up on motion of Mr. Foster, to wit:

By Mr. Foster of Cobb—

A bill to be entitled an Act to amend that part of section 1 of an Act entitled an Act to amend section 1, article 7, paragraph 1 of the Constitution of Georgia, so as to extend the provision of said section, article and paragraph to the widows of Confederate soldiers who, by reason of age and poverty, or infirmity and poverty, are unable to provide a living for themselves, and for other purposes," approved December 20, 1899, which sets out that part of said paragraph 1, section 1, article 7 of the Constitution as amended relating to provision for ex-Confederate soldiers and their widows, by adding at the end of said section the following: "To make provision for the payment of any ex-Confederate soldier now resident of this State who enlisted in the military service of this State, or who enlisted from this State in the military service of the Confederate States during the Civil War between the States of the United States, and who performed actual military service in the armies of the Confederate States, or of the organized militia of this State, and who was honorably discharged therefrom, and to the widows now resident of this State of ex Confederate soldiers who enlisted in the military service of this State, or who enlisted from this State in the military service of the Confederate States, and who performed actual service in the armies of the Confederate States, or of the organized militia of this State, who died in said military service or was honorably discharged therefrom, and for other purposes."

Section 1. Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same, That section 1 of an Act approved December 20, 1899, and entitled "an Act to amend section 1, article 7, paragraph 1 of the Constitution of Georgia, so as to extend the provision of said section, article and paragraph to the widows of Confederate soldiers who, by reason of age and poverty, or infirmity and poverty, or blindness and poverty, are unable to provide a living for themselves, and for other purposes," be, and the same is, hereby amended by adding at the end of said section the following "To make provisions for the payment of pensions to any ex-Confederate soldier now resident of this State who enlisted in the military service of this State, or who enlisted from this State in the military service of the Confederate States, during the Civil War between the States of the United States, and who performed actual military service in the armies of the Confederate States, or of the organized militia of this State and was honorably discharged therefrom; and to the widows now resident of this State of ex-Confederate soldiers who enlisted in the military service of this State, or who enlisted from this State in the military service of the Confederate States, and who performed actual service in the armies of the Confederate States, or of the organized militia of this State, who died in said military service, or was honorably discharged therefrom," so that that part of said section which sets out that part of paragraph 1, section 1, article 7 of the Constitution relating to the provision for ex-Confederate soldiers and their widows, as amended by said Act, when so amended, shall read as follows:

"To supply the soldiers who lost limb or limbs in the military service of the Confederate States with substantial artificial limbs during life; and make suitable provisions

for such Confederate soldiers as may have been otherwise disabled or permanently injured in such service, or who may by reason of age and poverty or blindness and poverty are unable to provide a living for themselves, and for the widows of such Confederate soldiers as may have died in the service of the Confederate States, or since, from wounds received therein, or disease contracted in the service, or who, by reason of age and poverty, or infirmity and poverty, or blindness and poverty, are unable to provide a living for themselves; provided, that the Act shall only apply to such widows as were married at the time of such service and have remained unmarried since the death of such soldier husband to make provision for the payment of pensions to any ex-Confederate soldier now resident of this State who enlisted in the military service of this State, or who enlisted from this State in the military service of the Confederate States, during the Civil War between the States of the United States, and who performed actual military service in the armies of the Confederate States, or of the organized militia of this State and was honorably discharged therefrom; and to the widows now resident of this State of ex-Confederate soldiers who enlisted in the military service of this State, or who enlisted from this State in the military service of the Confederate States, and who performed actual service in the armies of the Confederate States, or of the organized militia of this State, who died in said military service or was honorably discharged therefrom."

Sec. 2. Be it further enacted, That if this amendment shall be agreed to by two-thirds of the General Assembly of each House, the same shall be entered on their Journals with the yeas and nays taken thereon, and the Governor shall cause the amendment to be published in one or more of the newspapers in each Congressional district for two

months immediately preceding the next general election, and the same shall be submitted to the people at the next general election, and the voters thereat shall have written or printed on their tickets, "For ratification of article 7, section 1, paragraph 1 of the Constitution of this State," or "Against ratification of article 7, section 1, paragraph 1 of the Constitution of this State," as they may choose, and if a majority of the electors qualified to vote for members of the General Assembly, voting, shall vote in favor of ratification then said amendment shall become a part of said article 7, section 1, paragraph 1 of the Constitution of this State, and the Governor shall make a proclamation thereof.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and they are, hereby repealed.

On motion of Mr. Foster the House reconsidered its action in having agreed to the report of the committee.

Mr. Foster then moved that the House reconsider its action in adopting the following amendment when the bill was first up for consideration on July 15th.

By Mr. Thurman—

To amend by adding the following to the end of section 1 of the bill as amended: "Provided, that the provisions of this Act shall not extend to any soldier or widow of Confederate soldier whose property exceeds \$1,000, or whose income is more than \$300.00 per year."

The motion to reconsider the above amendment prevailed.

The amendment was again put to the House and adopted.

The following amendment was adopted:

By Mr. Alexander—

To amend by adding to end of section 1 the following: "Whenever it shall be necessary to appropriate more than \$1,000,000 a year for pensions, such ad valorem tax may be levied in addition to the constitutional limit as shall be necessary to raise the amount of such excess."

Mr. Perry of Hall moved that the House reconsider its action in adopting the above amendment, which motion prevailed.

The amendment was again put to the House, and on its adoption Mr. Hall of Bibb called the ayes and nays, which was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Davison,	Hardeman,
Alexander,	Dean,	Harris,
Arnold,	Dickey,	Haywood,
Atkinson,	Donalson,	Heard,
Boyd,	Dunbar,	Hines,
Buchannon,	Duggan,	Holder,
Burkhalter,	Eaves,	Howard,
Burwell,	Edwards,	Huie,
Candler,	Flanders,	Hullender,
Chamlee,	Foster,	Jackson,
Clifton,	Fraser,	Johnson of Towns,
Cook of Chat'hoochee,	Frier,	Jones of Meriwether,
Cooke of Thomas,	Fullbright,	Keith,
Covington,	Furr,	Kendall,
Couch,	Gibson,	Kendrick,
Daniel,	Glenn,	Lively,
Davis,	Hamilton,	McIntyre,

McMullan,	Russell,	Tyson,
McWilliams,	Slater,	Walker of Wash'ton,
Massengale,	Smith of Campbell,	Ward,
Mercer,	Stubbs,	Watkins,
Nowell,	Sumner,	White of Screven,
Orr,	Swilling,	Whitley,
Reid of Putnam,	Taylor of Sumter,	Wootten,
Rogers,	Thurman,	Wright of Floyd,
Rountree,	Townsend,	

Those voting in the negative were Messrs.—

Adams of Elbert,	Estes,	Pope of Dade,
Adams of Wilkinson,	Flannigan,	Powell,
Allen,	Fowler,	Price of Oconee,
Anderson of Bulloch,	Godley,	Reid of Wilcox,
Anderson of Cobb,	Goode,	Ryals,
Ashley,	Guyton,	Shaw,
Austin,	Hall,	Simmons,
Ballard,	Hill,	Slade,
Barksdale,	Huff,	Smith of Calhoun,
Barrow,	Johnson of Jeff Davis,	Stephens,
Blackburn,	Lee,	Stewart,
Bowen,	Lumsden,	Strickland,
Brown of Carroll,	Lunsford,	Taylor of Appling,
Brown of Oglethorpe,	Matthews,	Terrell,
Butt,	MacFarland,	Thorne,
Calbeck,	McCarthy,	Tift,
Callaway,	McMahan,	Tracy,
Cannon,	McMichael,	Trent,
Clark,	Martin,	Walker of Lowndes,
Collum,	Maxwell,	Walker of Milton,
Cook of Telfair,	Mundy,	Warnell,
Cowan,	Nix,	White of Madison,
Crawford,	Odum,	Wilson,
Culbreth,	Parker,	Wise,
Dykes,	Parrish,	Wright of Richmond,
Edmondson,	Perry,	Wynne,
Ellison,	Persons,	Young,

Those not voting were Messrs.—

Adams of Chatham,	Bell,	Crumbley,
Atwater,	Berry,	Dorminy,
Barrett,	Bond,	Fagan,



Geer,	Moore,	Reid of Macon,
Hubbard,	Payton,	Sheffield,
Johnson of Jasper,	Peterson,	Tuggle,
Jones of Mitchell,	Pope of Brooks,	Williams,
Mays,	Price of Bartow,	Mr. Speaker.

The roll-call was verified and on counting the votes it was found that the ayes were 77, nays 81. The amendment was, therefore, lost.

The committee proposed to amend as follows

To amend caption by striking all that part which occurs after the words "a bill to be entitled an Act to amend," and inserting in lieu thereof the following: "Paragraph 1, section 1, article 7 of the Constitution of this State, so as to provide for the payment of pensions to ex-Confederate soldiers and the widows of ex-Confederate soldiers, and for other purposes."

Also,

To amend section 1 by striking all that part between the enacting clause and line 38, and inserting in lieu thereof the following: "That paragraph 1, section 1, article 7 of the Constitution of this State be, and the same is, hereby amended by adding at the end of said paragraph the following."

Also,

To amend section 2 by adding the words, "of amendment" after word "ratification," in lines 8 and 10 of said section, and by adding in parenthesis the words "for payment of pensions to ex-Confederate soldiers and widows of ex-Confederate soldiers," between lines 9 and 10 of said section; and by adding in parenthesis the words "against payment of pensions to ex-Confederate

soldiers and widows of ex-Confederate soldiers between words "State" and "as," in line 11 of said section.

Also,

To amend by adding at the end of section 1 the following: "Provided that no person shall be entitled to the provision of this section the total value of whose property of every description, including money and choses in action, shall exceed \$1,500; and provided further that only those widows who were married to such soldier or ex-soldier previous to the year 1870, shall be entitled to the provisions of this section," and by inserting in the caption next before last four words "and for other purposes," the following, "and prescribing the persons entitled to the provisions of said section."

Mr. Foster proposed to amend the committee amendments by striking therefrom the words "or caption thereof," and by inserting between the words "therefrom" and "and" on the 21st line of section 1, in lines 3, 4, 5, 6 and 7 of said amendment, and also the word "section," and by inserting in the caption next before the last four words the following, "and prescribing the persons entitled to the provisions of said section," in lines 21, 22, 23, 24, 25, 26, 27, 28 of said amendments, and inserting the words "constitutional amendment," in lieu of the word "section," in the 12th and 21st lines of said amendment.

Mr Alexander proposed the following amendment, which was adopted, to wit:

To amend by adding to section 1 the following: "No widow of a soldier killed during the war shall be de-

prived of her pension by reason of having subsequently married another veteran who is dead, unless she receives a pension on account of being the widow of such second husband."

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to as amended.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Collum,	Frier,
Adams of Wilkinson.	Cook of Chat'hoochee,	Furr,
Adkins,	Cook of Telfair,	Gibson,
Allen,	Covington,	Glenn,
Anderson of Bulloch,	Couch,	Godley,
Anderson of Cobb.	Cowan,	Goode,
Arnold,	Crawford	Guyton,
Ashley,	Culbreth,	Hall,
Atkinson,	Daniel,	Hamilton,
Austin,	Davis,	Harris,
Ballard,	Davison,	Haywood,
Barksdale,	Dean,	Heard,
Blackburn,	Dickey,	Hill,
Bowen,	Dunbar,	Hines,
Boyd,	Duggan,	Holder,
Brown of Carroll,	Dykes,	Huff,
Brown of Oglethorpe.	Eaves,	Huie,
Burkhalter,	Edmondson,	Hullender,
Burwell,	Edwards,	Jackson,
Butt,	Ellison,	Johnson of Jeff Davis,
Calbeck,	Estes,	Johnson of Towns,
Callaway,	Flanders,	Kendall,
Cannon,	Flannigan,	Kendrick,
Chamlee,	Foster,	Lee,
Clark,	Fowler,	Lively,
Clifton,	Fraser,	Lumsden,

Lunsford,	Reid of Wilcox,	Townsend,
Matthews,	Rogers,	Tracy,
McMahan,	Rountree,	Trent,
McMichael,	Russell,	Tyson,
McMullan,	Ryals,	Walker of Lowndes,
McWilliams,	Shaw,	Walker of Milton,
Martin,	Simmons,	Walker of Wash'ton,
Massengale,	Slade,	Ward,
Maxwell,	Slater,	Warnell,
Mays,	Smith of Campbell,	Watkins,
Mercer,	Stephens,	White of Madison,
Mundy,	Stewart,	White of Screven,
Nix,	Strickland,	Whitley,
Nowell,	Sumner,	Williams,
Orr,	Swilling,	Wilson,
Parrish,	Taylor of Appling,	Wise,
Perry,	Taylor of Sumter,	Wootten,
Persons,	Terrell,	Wright of Richmond,
Pope of Dade,	Thorne,	Wynne,
Powell,	Thurman,	Young,
Price of Oconee,		

Those voting in the negative were Messrs.—

Alexander,	Howard,	Reid of Putnam,
Candler,	MacFarland,	Stubbs,
Cooke of Thomas,	McIntyre,	Wright of Floyd,
Fullbright,	Odum,	

Those not voting were Messrs.—

Adams of Chatham,	Fagan,	Parker,
Atwater,	Geer,	Payton,
Barrett,	Hardeman,	Peterson,
Barrow,	Hubbard,	Pope of Brooks,
Bell,	Johnson of Jasper,	Price of Bartow,
Berry,	Jones of Meriwether,	Reid of Macon,
Bond,	Jones of Mitchell,	Sheffield,
Buchannon,	Keith,	Smith of Calhoun,
Crumbley,	McCarthy,	Tift,
Donalson,	Moore,	Tuggle,
Dorminy,	Morris,	Mr. Speaker.

The roll-call was verified and on counting the votes it

was found that on the passage of the bill the ayes were 139, nays 11.

The bill having received the requisite constitutional majority was passed as amended.

The following resolution was read and adopted, to wit:

By Mr. Wright of Richmond—

A resolution that the Committee on Rules report as a special order for Thursday after special orders already set, House bill No. 19.

By unanimous consent the resolution by Mr. Wise, proposing to make the "near beer" bill a special order, was postponed until 12:15 o'clock p.m.

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ATLANTA, GA., August 5, 1908.

The following message was received from his excellency the Governor, through his secretary, Mr. Carter:

*Mr Speaker:*

I am directed by his Excellency the Governor, to deliver to the House of Representatives a communication in writing.

STATE OF GEORGIA,  
EXECUTIVE DEPARTMENT,

ATLANTA, August 5, 1908.

*To the Senate and House of Representatives:*

As your session is limited by the Constitution of the

State to fifty days, I feel that it is my duty to communicate with you with reference to the important legislation now pending before your bodies.

The necessity for wisely handling the convict question is so great that it is entitled to the fullest time for thorough consideration.

I fear that it will be impossible for you to give to this subject the full consideration which you may desire between now and the close of the session without displacing many other important bills which are almost ready to be enacted into laws.

Under these circumstances I desire to assure you of my perfect readiness to call an extra session of the Legislature immediately after the close of the present session, at which you can act upon the convict question.

Without intending to question the importance of other bills to which I do not refer, permit me especially to call your attention to four matters of legislation pending before you upon which I urge the necessity for action:

First. Each of your bodies has passed an anti-lobbying bill. It remains for them to reach an agreement upon a measure which both may approve.

Second. There is pending before each of your bodies a primary election bill which, among other things, will fix the time for holding our State primaries at a date not earlier than sixty days before the date of the election.

Third. There is pending before each of your bodies a registration bill.

The enactment of new laws with reference to registration seems to be a necessity. At present all over the State tax-collectors have been in the habit of allowing men to sign the voters lists without requiring the affidavit prescribed by law to be sworn to before names are

signed to the lists. This custom naturally has led to illegal registration.

The work of the registrars under the present law is postponed to such a date that no benefit is derived from purging the voters books before our primaries. Indeed, the work of the registrars is almost neglected.

After a vote is put into the ballot box it is almost impossible to get it out, whether it went into the ballot box legally or illegally. The time for protecting our elections and preserving to the qualified voters the right to control the affairs of the State is before the ballots go into the ballot boxes, and new registration laws to prevent illegal voting are absolutely necessary if the voters of Georgia are to have a fair opportunity to express their views, especially at our primary elections.

To these three pieces of legislation I especially call your attention and respectfully urge that the work you have already done upon them be brought to completion. To postpone these subjects to another legislature would require much of this work to be done over again.

Fourth. There are pending before you bills to appropriate money to the State College of Agriculture and to the eleven district agricultural schools.

These institutions are of vast importance to the people of the State. They are in a critical condition. We must give them support now.

There are other matters before you upon which I earnestly hope you may reach favorable action.

But I can not too strongly express my commendation of the four measures which I have mentioned.

HOKE SMITH, Governor.

By unanimous consent the following resolution was read and ordered to lay on the table for one day, to wit:

By Mr. McMahan of Clarke—

A resolution to pay the widow of George Houser, doorkeeper of the House, deceased, his per diem for the present session.

The following resolutions were read, to wit:

By Mr. Dean of Floyd—

A resolution instructing the Committee on Rules to prepare and arrange an order of business for the House.

The above resolution was adopted by the House and referred to the Committee on Rules.

By Mr. Barrow—

A resolution instructing the Rules Committee to fix House bills Nos. 848, 850 and 854 as special orders.

By Mr. Boyd—

A resolution instructing Rules Committee to fix as a special order House bill No. 896 for August 7th.

The instructions contained in the two foregoing resolutions were lost and they were referred to the Committee on Rules.

The following resolution, which was made the special order for 12:15 o'clock, was taken up for further consideration, the same having been under consideration when the hour of adjournment arrived on yesterday to wit:

By Mr. Wise of Fayette—

A resolution to fix House bill No. 1108 as a special



order for Wednesday, August 5th, and instructing Committee on Rules to report at once.

The instructions were adopted and the resolution referred to Committee on Rules.

Mr Butt of Fannin moved to reconsider the action of the House in adopting the resolution instructing the Committee on Rules to prepare and arrange an order of business for the House, which motion prevailed.

The following resolution was read and adopted, to wit

By Mr. Hall of Bibb—

A resolution fixing the hours of the sessions of this House as follows :

From 9 o'clock a.m. to 10 o'clock p.m.

From 3 o'clock p.m. to 5 o'clock p.m.

In accordance with his previous notice, Mr. Hall moved to reconsider the action of the House in passing, on August 1st, House bill No. 1037, which motion prevailed.

The following message was received from the Senate through Mr. Northen, Secretary thereof :

*Mr Speaker:*

The Senate has concurred in the amendments of the House to the following bill of the Senate, to wit :

A bill to amend section 3, article 3 of the Constitution of this State, which provides the number of members of the House of Representatives.

Mr. Parker, chairman of the Committee on Enrollment, submitted the following report:

*Mr Speaker*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Acts:

An Act to amend, consolidate and supersede the several Acts incorporating the city of Blue Ridge, in the county of Fannin.

An Act to amend an Act establishing the city court of Newton, in and for Baker county.

An Act to authorize the mayor and council of Decatur to issue bonds for the purpose of enlarging and extending the waterworks system of said town.

An Act to establish a new charter for the town of Fairmount, in the county of Gordon.

An Act to repeal an Act approved September 23, 1881, establishing a new charter for the town of Franklin.

An Act to incorporate the city of Kingsland, Camden county.

An Act to repeal an Act approved December 6, 1900, entitled an Act to repeal an Act to create a county court in each county in the State of Georgia, except certain counties therein mentioned.

An Act to create a board of commissioners for the county of Crisp.

An Act to authorize and empower the mayor and aldermen of the town of Calhoun, in Gordon county, to convey by deed to D L. Gardner, a parcel of the town common.

An Act to authorize the mayor and council of Decatur to issue bonds for buying real estate and erecting school buildings, and for other purposes.

Leave of absence was granted Mr. Furr of Banks.

On motion of Mr. Blackburn the Speaker announced the House adjourned until 3 o'clock this afternoon.

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3 O'clock P.M.

The House reconvened at this hour and was called to order by the Speaker.

Mr. Nowell moved to dispense with the roll call and no quorum having voted, the Speaker directed a call of the roll for the purpose of ascertaining if a quorum was present and those answering to their names were as follows:

Adams of Chatham,	Ballard,	Burkhalter,
Adams of Elbert,	Barksdale,	Burwell,
Adams of Wilkinson,	Barrett,	Butt,
Adkins,	Barrow,	Calbeck,
Alexander,	Bell,	Callaway,
Allen,	Berry,	Candler,
Anderson of Bulloch,	Blackburn,	Cannon,
Anderson of Cobb,	Bond,	Chamlee,
Arnold,	Bowen,	Clark,
Ashley,	Boyd,	Clifton,
Atkinson,	Brown of Carroll,	Collum,
Atwater,	Brown of Oglethorpe,	Cook of Chat'hoochee,
Austin,	Buchannon,	Cook of Telfair,

Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbley,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell,
Dickey,	Jones of Mitchell,	Ryals,
Donalson,	Keith,	Shaw,
Dorminy,	Kendall,	Sheffield,
Dunbar,	Kendrick,	Simmons,
Duggan,	Lee,	Slade,
Dykes,	Lively,	Slater,
Eaves,	Lumsden,	Smith of Calhoun,
Edmondson,	Lunsford,	Smith of Campbell,
Edwards,	Matthews,	Stephens,
Ellison,	MacFarland,	Stewart,
Estes,	McCarthy,	Strickland,
Fagan,	McIntyre,	Stubbs,
Flanders,	McMahan,	Sumner,
Flannigan,	McMichael,	Swilling,
Foster,	McMullan,	Taylor of Appling,
Fowler,	McWilliams,	Taylor of Sumter,
Fraser,	Martin,	Terrell,
Frier,	Massengale,	Thorne,
Fullbright,	Maxwell,	Thurman,
Furr,	Mays,	Tift,
Geer,	Mercer,	Townsend,
Gibson,	Moore,	Tracy,
Glenn,	Morris,	Trent,
Godley,	Mundy,	Tuggle,
Goode,	Nix,	Tyson,
Guyton,	Nowell,	Walker of Lowndes,
Hall,	Odum,	Walker of Milton,
Hamilton,	Orr,	Walker of Wash'ton,
Hardeman,	Parker,	Ward,
Harris,	Parrish,	Warnell,
Haywood,	Payton,	Watkins,
Heard,	Perry,	White of Madison,
Hill,	Persons,	White of Screven,
Hines,	Peterson,	Whitley,

Williams,	Wootten,	Wynne,
Wilson,	Wright of Floyd,	Young,
Wise,	Wright of Richmond,	Mr. Speaker.

Leave of absence was granted the Committee on Banks and Banking from 3:30 to 4 o'clock p.m.

Leave of absence was also granted the House members of the committee to investigate the Prison Commission.

Leave of absence was granted Mr Williams of Dodge from the afternoon session on account of sickness.

Under the order of business fixed this morning, the following bills were read the first time, to wit:

By Mr. Perry—

A bill to amend section 1116, volume 1 of the Code.

Referred to General Judiciary Committee.

By Mr. Davison of Greene—

A bill to amend an Act to create the office of commissioner of roads and revenues for Greene county.

Referred to Counties and County Matters Committee.

By Mr. Perry—

A bill to amend section 1039, volume 3 of the Code.

Referred to General Judiciary Committee.

By Mr. White of Screven—

A bill to create a system of public schools for the city of Sylvania.

Referred to Special Judiciary Committee.

By Messrs. Heard and Adkins—

A resolution to pay pension to W. H. Stanley.

Referred to Committee on Pensions.

By Mr. Williams of Dodge—

A resolution to pay pension due Gus J. Grimsley.

Referred to Committee on Pensions.

By Mr. Shaw—

A resolution providing for the abolition of the Prison Commission.

Referred to Committee on Penitentiary.

By Mr. Parker of Talbot—

A bill to amend an Act to incorporate the town of Junction City

Referred to Committee on Corporations.

By Mr. Cook of Telfair—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Telfair.

Referred to Counties and County Matters Committee.

By Mr. McMullan—

A bill to amend an Act to incorporate the town of Bowersville.

Referred to Committee on Corporations.

By Mr. Boyd—

A bill to allow city court judges to preside in any city court as now allowed superior court judges.

Referred to General Judiciary Committee.

By Mr. Slade—

A resolution granting the Daughters of the Revolution exclusive right to put on sale a postal card bearing the flag of Georgia.

Referred to Committee on State of Republic.

By Mr. Calbeck of Gordon—

A resolution providing that beginning with August 3d the House hold a session from 3:30 to 5:30 p.m.

Referred to Committee on Rules.

Mr. Covington, chairman of the Committee on Railroads, submitted the following report:

ATLANTA, GA., August 5, 1908.

*Mr Speaker:*

Your Committee on Railroads having had under consideration House bill No. 1101, beg leave to return the same with the recommendation that the same do pass as amended.

Your committee having had under consideration House bill No. 16, beg leave to return the same to the House with recommendation that the same do pass as amended.

Also, that House bills Nos. 458, 1018 and 469 do pass.

W. H. COVINGTON, Chairman.

Mr. McMahan, vice-chairman of the Committee on Pensions, submitted the following report:

*Mr. Speaker:*

Your Committee on Pensions have had under consideration the following bills, which they report back to the House with recommendation that they do pass:

House resolutions Nos. 218, 258, 214, 62 and 102.

Also, House bills Nos. 461 and 908.

The committee reports back the following bills with recommendation that they "do not pass":

House resolutions Nos. 288, 123, 19, 69, 259, 26, 230, 6, 255, 111, 142, 70, 141, 212, 233.

Also House bills Nos. 365, 637, 776, 814.

J. J. C. McMAHAN, Vice-Chairman.

Mr. Wright of Richmond, chairman of the General Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on General Judiciary has had under consideration the following bill of the House and instruct me as their chairman to report same back with the recommendation that it do pass:

A bill to amend an Act to regulate the employment of children in factories and manufacturing establishments.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.



Mr. Fraser, chairman of the Committee on Public Library, submitted the following report:

*Mr Speaker:*

Your Committee on Public Library having had under consideration House resolution No. 296, instruct me as their chairman to report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

DONALD FRASER, Chairman.

Mr. Wise, chairman of the Committee on Ways and Means, submitted the following report:

*Mr Speaker:*

Your Committee on Ways and Means has had under consideration the following House bills and instructs me as their chairman to report the same back with the recommendation that they do not pass, to wit

House bill No. 878.

House bill No. 1108.

Respectfully submitted.

J. W WISE, Chairman.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr Speaker:*

Your Committee on Corporations has had under consideration the following bills of the House and direct me

as their chairman to report same back with the following recommendation, to wit:

DO PASS.

An Act to amend an Act incorporating the town of Pelham.

An Act to amend an Act incorporating the town of Norwood.

DO PASS BY SUBSTITUTE.

An Act to incorporate the town of Chamblee, in DeKalb county

Respectfully submitted,

H. G. NOWELL, Chairman.

Mr Blackburn, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills and as its chairman I am requested to report the same with recommendations as follows:

House bill 1103, entitled an Act to authorize the city of West Point, in Troup county, to grant certain privileges to the A. & W P Railroad Company, do pass.

House bill 1104, entitled an Act to authorize city of West Point to close Bridge street, do pass.

House bill 1118, entitled an Act to authorize the town of Calhoun, in Gordon county, to sell certain property, do pass.

House bill 1109, entitled an Act to change the number of county commissioners in and for Newton county, do pass.

House bill No. 1113, entitled an Act to incorporate the town of Buchanan, in Haralson county, do pass as amended.

All of which is respectfully submitted.

R. B. BLACKBURN, Chairman.

The undersigned members of the special committee appointed to investigate certain charges made against the sub-committee of the penitentiary while inspecting the Bibb County Brick Company's convict camp submitted the following report, which was adopted :

SENATE CHAMBER, ATLANTA, GA.,

July 22, 1908, 3:30 P M.

INVESTIGATION BY JOINT COMMITTEE OF SENATE AND  
HOUSE.

Senator Stephens, Chairman.

Senator Peacock.

Representative Atkinson, Secretary.

Representative Adams of Elbert.

Representative Johnson of Jeff Davis.

Joint Committee.

In the matter of investigation of certain charges concerning the conduct of the sub-committee of the Penitentiary Committee of the Senate and House while inspecting the Bibb Brick Company's convict camp.

D. O. Smith, stenographer, Atlanta, Ga.

## REPORT OF SUB-COMMITTEE.

of the Penitentiary Committee of the Senate and House  
as to the Bibb Brick Company:

## BIBB BRICK COMPANY.

“At this camp we found the beds that the convicts were compelled to sleep on very dirty and not fit for any human being to sleep on, and so dirty and filthy as to be unsanitary. We also found that the beds were too short. The food was not well cooked or prepared, and the supply and quality very poor. The convicts were required to eat their meals in an open space where cold winds could blow upon them while eating their meals. They were required to work too hard, especially those at work where the green brick came out of the machine, the men having to rush to the utmost of their ability all along to keep the brick out of the way as fast as they came out of the machine. Also in loading brick in cars for shipping, the convicts had to go in a trot with wheelbarrows of brick.

We found fifty (50) felony men at this camp.

We found this camp in fairly good condition, except as to beds and poorly cooked food.

SENATE CHAMBER, ATLANTA, GA.,

July 22, 1908, 3:30 O'clock P M.

In the matter of investigation of certain charges concerning the conduct of the Sub-Committee of the Peni-

tentiary Committee of the Senate and House while inspecting the Bibb Brick Company's convict camp.

Senator Stephens: Gentlemen—This committee is organized under a resolution passed by the House and Senate looking to the investigation of certain charges made respecting the conduct of the sub-committee while inspecting the Bibb Brick Company's convict camp.

I will state that the joint committee of the Senate and House have met and organized by the election of W. B. Stephens, Senator from the First District, as Chairman, and Hon. Paul M. Atkinson of Morgan, as Secretary.

I think the first thing in order will be the reading of the resolution under which we are acting, and the secretary will please read the resolution.

Secretary Atkinson by Mr. Edwards of Habersham:

WHEREAS, it is reported in the public press that Mr. John T. Moore of the Bibb Brick Company, charges drunkenness against Representatives Edwards, Powell and Bowen, and Senator Stapleton, composing the sub-committee of the Joint Penitentiary Committee of the General Assembly while on duty inspecting the convict camps in November, 1907; therefore, be it

*Resolved*, by the House of Representatives, the Senate concurring, That in order that the honor and dignity of the General Assembly may be maintained, and that justice may be done all parties concerned, a committee of three from the House and two from the Senate be appointed by the Speaker and President of their respective bodies to investigate said charges and report to the House and Senate.

Chairman Stephens: And in pursuance of that resolution, the President of the Senate and Speaker of the House, respectively, appointed to serve on such committee:

Senators Stephens of the First District; Peacock of the 14th District, and Representatives Atkinson of Morgan, Adams of Elbert, and Johnson of Jeff Davis.

Chairman Stephens: I desire to inquire if any person present, other than members of the committee, are present and desire to be heard or to appear before the committee; if so we invite them to make themselves known, and we will be glad to hear from any such.

I will ask the Secretary if he has notified all parties at interest of this hearing?

Secretary Atkinson: I have, and I will read the form of notice:

ATLANTA, GA., July 16, 1908.

Mr. John T Moore, Macon, Ga.

DEAR SIR: You are hereby notified that the committee appointed from the House and Senate to investigate the charges made by yourself against the committee who investigated your convict camp last November, will meet in the Senate Chamber next Wednesday, July 22, at 3:30 p.m. for the purpose of investigating these charges and hearing all testimony.

It is the wish of the committee that as far as possible oral testimony be introduced.

Very truly yours,

PAUL M. ATKINSON, Secretary.

The following notice was sent to the members of the sub-committee:

The committee recently appointed from the House and Senate to investigate the charges of Mr. John T Moore of Bibb county, recently made against the sub-committee who visited his convict camp last November, of which you were a member will meet in the Senate Chamber next Wednesday, July 22, at 3:30 p.m. for the purpose of investigating these charges.

Your presence is desired.

Very truly,

PAUL M. ATKINSON, Secretary.

Chairman Stephens: I will ask the Secretary to read the charges which were preferred by Mr. John T Moore.

Secretary Atkinson: "Macon, Ga.; To the public:

"Replying to the statement of a member of the Legislature by the name of Edwards, who was elected on the supposition that he would represent the county of Habersham, I say.

"First: That the statement that the members of the committee had to be helped, not out, but back, into their vehicle, applied to their visit to the plant of the Royster Guano Company, and was made upon the authority of an employee of that company whose name can be furnished.

"Second: That the committee that visited the plant of the Bibb Brick Company consisted of only three men and not four, which the member from Habersham by the name of Edwards, if he was one of them, must have

known or ought to have been in a condition to have known, to the extent at least of counting four or less.

"Third: That two of the committee of three were drunk or under the influence of something else; so noticeably indeed as to attract the attention, not only of the State's officer in charge, but of nearly every man who saw them on this trip of inspection at the plant of the Bibb Brick Company.

"Finally, I present for my authority for my criticism of their unfounded report, the affidavits attached below, which show the truth from the lips of men who do not junket at the expense of taxpayers:

The camp of the Bibb Brick Company is always open to inspection, and the visits, announced or unannounced, of sincere, painstaking and sober members of the General Assembly are always welcome.

"With this proof the matter is closed as far as I am concerned.

"Respectfully,"

Chairman Stephens: In response to your recent notification to Mr. John T. Moore, did you receive a reply, and, if so, what was that reply?

Secretary Atkinson: I received a reply as follows:

"MACON, GA., July 18, 1908.

"Hon. Paul M. Atkinson, Atlanta, Ga.

"Dear Sir: Your favor of the 10th inst. as follows:

"Atlanta, Ga., July 16, 1908.

"Mr. John T. Moore, Macon, Ga.

"Dear Sir: You are hereby notified that the com-



mittee appointed from the House and Senate to investigate the charges made by yourself against the committee who investigated your convict camp last November, will meet in the Senate Chamber next Wednesday, July 22, at 3:30 p.m. for the purpose of investigating these charges and hearing all testimony.

"It is the wish of the committee that as far as possible oral testimony be introduced.

"Very truly yours,

PAUL M. ATKINSON, Secretary.

received, contents noted.

When the statement appeared in the newspapers that the legislative committee had reported that the food for convicts was improperly prepared, the bedding filthy, and the men were overworked at the Bibb Brick Company's convict camp, in a conversation with friends on the street, I stated that the charge was not true, and that some of the members of the committee who made this report were under the influence of intoxicants at the time of the alleged examination.

These remarks were overheard by a newspaper reporter, and in a subsequent issue of his paper there appeared a denial of that truth.

I established the truth of my statement by affidavits of eye-witnesses who are entirely reliable which were published in the same paper.

I stated in my letter inclosing the affidavits for publication that "with this proof the matter is closed as far as I am concerned."

I stated a fact, and have the original affidavits of reputable men that establish the truth of my statement.

I have neither the time nor inclination to leave my business to appear in the prosecution of the charge that some members of a committee making an alleged investigation were drunk or drinking. That fact has been established.

If the committee desires to investigate the conduct of these members of the Legislature, I think Macon is the place for them to come.

Will you kindly write me whether your committee has the power to subpoena witnesses and whether the expenses of these witnesses to Atlanta will be paid by the State so that I may know whether I am under legal obligation to appear in Atlanta before the committee.

I inclose you copies of my letter and the affidavits so that you may subpoena the witnesses if you desire to examine them here.

If I am required to appear I shall come.

The statement by myself was simply one of fact, and a fact which I felt it necessary for me to establish, as it was denied by some person whose report reflected upon the treatment of convicts by the Bibb Brick Company in which I am a stockholder.

Your early attention will greatly oblige,

Yours very truly,

JOHN T MOORE.

Chairman Stephens: Did you make response to that?

Secretary Atkinson: Yes, I responded to that in the following letter

"Atlanta, Ga., July 21, 1908.

"Mr. John T Moore, Macon, Ga.

"Dear Sir: Your favor enclosing affidavits of Messrs. W W Moseley R. W Goodlett and W P Gary is received.

"Our committee has no power to subpoena witnesses, and it has no authority to incur any expense. Would be glad to have you present, or any witnesses you will submit at the Senate Chamber to-morrow (Wednesday) afternoon at 3:30 p.m.

"Yours very truly,

"PAUL M. ATKINSON, Secretary."

Chairman Stephens: I will now ask the Secretary to read the affidavits submitted:

The affidavits were read by the Secretary, as follows:

"Macon, Ga.

"Georgia, Bibb County:

"Personally appeared before me, W W Moseley who, being duly sworn, deposes and says that he is now and has been a resident of said State and county for twenty-three (23) years, and for five (5) years has been in the employment of the Bibb Brick Company; that he is and was in November, 1907, superintendent of the plant; that deponent saw the first committee of investigation sent by

the Legislature to the camp of that company in November last year; that it was composed of *only three* men; that they stayed at the place less than twenty minutes; that two of them appeared to be drunk or under the noticeable effect of whisky or something else; and deponent was so struck with their condition that he remarked at the time they were attempting to cross a trestle in the yard on their hardiness, and expressed doubt as to the ability of the two to make the trip.

"The committee was not here at meal times; the meals served here to the convicts at the time were daily eaten by deponent and frequently by the sons of the president, and did not vary in quality and quantity.

"W W MOSELEY."

Sworn to and subscribed before me this 3d day of July, 1908.

G. P RUMBLE, N. P., Bibb County, Ga.

"Macon, Ga.

"Georgia, Bibb County:

"Personally appeared before me R. W Goodlett, who, being duly sworn, deposes and says upon oath that he is a resident of the county of Bibb, and has been an engineer at the plant of the Bibb Brick Company for two years; that the deponent held such position in November, 1907, when said plant was visited by the first committee of the present Legislature for the purpose of inspecting the camp at that place; that said committee was seen by deponent; came riding in a hack, and consisted of three men, and *no more*, that said members remained at the plant about fifteen or twenty minutes, arriving a little before nine o'clock in the morning, and were not here at any meal.

"Deponent further says upon oath that two of said members were undeniably and decidedly under the influence of intoxicants or some drug, as shown by their appearance and demeanor.

"Deponent noticed their condition and commented upon it long before any question of its truth ever arose.

"R. W. GOODLETT.

"Sworn to and subscribed before me this 3d day of July, 1908.

"G. P. RUMPLE, N. P., Bibb county, Ga."

"Macon, Ga.

"Georgia, Bibb County :

"Personally appeared before me, an officer authorized to administer oaths, W. P. Gary, who, being duly sworn, deposes and says that he is a deputy warden of the State of Georgia, appointed by the Prison Commission; that he was such officer in November, 1907, at the time of the visit of the first committee of the present Legislature to visit the camp of the Bibb Brick Company; that he saw and talked to said committee, which was three in number, and *not* four, that he showed them through the camp under their direction; that they did not remain and inspect longer than ten minutes; that they were not present at meal hours; and that the only inspection of food made was the breaking of a piece of bread by one of them, who remarked, 'That looks good and looks like old times to see bread baked in an oven.'

"Deponent says that no unfavorable comment was made by a single one of them who hurried to get through; and that two of their number, deponent says, on account of their appearance and conduct, were *either intoxicated*

*or under the influence of something else.* Deponent further says that he eats the fare served to the convicts, and that as deputy warden the company has never failed to honor any request made by him for supplies, either for food or bedding.

“W P GARY.

“Sworn to and subscribed before me this 3d day of July, 1908.

“G. P RUMPLE, N. P., Bibb county, Ga.”

(Note: The words underscored in each of the foregoing three affidavits are in the originals, written in red ink.

STENOGRAPHER.)

Chairman Stephens: Is there any other evidence from any source tending to establish the statements made in these affidavits?

If not, this committee will be glad to hear from any gentleman involved by any accusation.

*J C Edwards* of Habersham, being duly sworn, testified, by Chairman Stephens:

Question. Mr Edwards, on behalf of the committee, I will ask you to relate, as nearly as you can, all that occurred on the occasion of your visit of your sub-committee to Macon, and inspection by it of the Royster Guano Company's plant and the Bibb Brick Company? How many composed the committee, who they were? What time was spent in making the investigation, what hour of the day and what was the condition of the individual members of the committee as to drunkenness?

Answer. The Penitentiary Committee were required

to be in Savannah on the 7th day of November, and we remained in Savannah that day, and a sub-committee consisting of Mr. Bowen of Tift, Mr. Powell of Lincoln, Senator Stapleton of the 12th District, and myself (J. C. Edwards) were appointed a sub-committee to investigate certain camps in Bibb, Fulton, Spalding, Monroe and DeKalb counties.

The committee, of which I was a member, left Savannah for Macon on the night of the 7th of November, and arrived in Macon November 8th in the morning. We could not get started early, but after getting breakfast and getting teams we started out and went to the Bibb road camp, some ten miles from Macon. We investigated one, came and investigated another of the road camps on the way back, and got back to the hotel for late dinner; I don't recollect exactly the hour. After we had our teams fed and got dinner we went then to the Bibb Brick Company camp, and it must have been as late as three o'clock, or probably four when we arrived at the Bibb Brick Company camp.

Q. Can you be mistaken about the time? A. No, sir; I can not possibly be, because we went to these other road camps in the morning and got back to Macon for dinner, and it would have been impossible to get back before noon, because we went to these other road camps and got back to the hotel for dinner, and it would have been impossible to get back from the trip we took before 12 o'clock, and I think possibly it was one o'clock when we got back to Macon, and then went to the Bibb Brick Company in the evening. There were four of us together the whole time, the whole sub-committee, as I named a few minutes ago were in the company. We had a survey

and a buggy. My recollection is, when we went to this Bibb Brick Company Senator Stapleton and myself went in the surrey, and Representatives Bowen and Powell were in the single buggy. We went to the Bibb Brick Company office, and the office man or manager informed us that Mr. John T Moore was away and would be there in a few minutes. We waited some 15 or 20 minutes until he came, and after we had met him, he sent some gentleman, I don't remember his name, probably this was Mr. Moseley; I don't remember; and we inspected the camp, but we were there something like an hour, it seems to me, because we went all over the camp after he got there. We, of course, naturally had to hurry because we had a short time, but we were there as much as an hour in all. We had three other camps we wished to inspect that evening; the report there is absolutely untrue as to any one of the crowd being drunk. I don't drink anything at all. If they had drank anything I don't know it, and could not tell it. They were not under the influence of anything. They were orderly all the time and treated everybody nicely, and I remember we met and were introduced to Mr. John T Moore, and the reason I recollect so distinctly I was told he was a candidate for mayor, and recollect that statement to us. He says we were not there at meal time, we were not there at meal time, but we saw the food that was shown us; we saw the dining-room and food they fed them on. We saw what they showed us. As far as passing over the trestle, I don't remember it specifically; it seems to me, too, we went upstairs and came out on a trestle, but there was no staggering about. We were, none of us, under the influence of liquor; all were absolutely sober. If there is any question any one desires to ask I will be glad to answer it.



Q. You will notice it is stated that two of the three committeemen appeared to be under the influence of intoxicating liquor or some drug. So far as you are personally concerned, do you care to state whether or not you had taken any liquor or any drug of any description on that day?

A. I had taken nothing of anything. I don't even remember of having taken any medicine; I don't think I had. I know I had not taken any intoxicants of any description; no beer, wine or liquor

Q. Or any morphine or narcotic?

A. No, sir; I never took any in my life except on one occasion some years ago when the doctor administered it.

Q. Was any other member of the committee who had the slightest appearance, in your judgment, of being under the influence of any narcotic?

A. No, sir; not at all, so far as I could see.

Q. Or alcoholics?

A. No, sir; so far as appearances were concerned they were at themselves in every way.

Q. If they had been under the influence of alcoholics or narcotics would you have noticed it?

A. I would have noticed it; we were closely associated, and were together all the time, and they were all as straight as shingles.

As to the Royster Guano Company inspection: We got through with the other camps around near Macon on the 8th, except the Royster Guano Company. That

we had not seen, and we got up early on the morning of the 9th, were up by daylight, and we got one team, and Mr. Powell drove the team over to the Royster Guano Co. We drove over there about three or four miles from Macon. We got there before the manager got up. The hands were ready to come out, and we investigated that and came back to Macon for breakfast.

Q. On the occasion of your visit to the Royster Guano Company plant was it or not necessary for any one to assist any member on the vehicle they left in?

A. No, sir; nobody needed or received any help.

Q. Did not?

A. No; neither in or out of the vehicle.

Q. Were all four of you out there?

A. All four of us were together at that camp same as at the Bibb Brick Company.

Q. (By Representative Atkinson.) I would like to ask you as to the time. You have noticed it is stated you visited the Bibb Brick Company plant in the morning?

A. Yes, sir. That is not correct, we visited the Bibb Brick Company in the afternoon.

Q. Did you visit it in the morning?

A. We did not; we visited the Royster Guano Company early in the morning and the Bibb Brick Company the evening before. We visited the Royster Guano Camp early in the morning and then turned back to Macon, and we were too early in the morning to be drunk at the

Royster Guano Company camp. We were there by about sun-up.

Q. (By Chairman Stephens.) The statement is made that you did not remain or inspect the Bibb Brick Company longer than ten minutes. What do you say about that?

A. That is not true; we waited for Mr. Moore to come more than ten minutes; then we were there, it seems to me, something like an hour in all. Of course our time was limited, but we stayed there an hour, in my judgment.

Q. Did you, or any of the gentlemen, make any unfavorable comment on what you saw in the Bibb Brick Company camp?

A. No, sir; I don't think we did. We did not do that as a rule. We reserved our opinion until later, or as we thought proper. We took notes as we went along so we would know what we were doing when we went to make up our report.

Q. Is there anything else you wish to state?

A. I just wanted to state that all the charges about being drunk and acting improper in any way are unfounded and false. We did the best we could to do justice to the managers of the camps.

*E. P. Bowen* of Tift, sworn, testified; by Mr. Stephens:

Q. State as to your inspection of this camp, your condition, and all about it?

A. I don't know as it is necessary to go into the full details before getting to Macon.

Q. No, sir; just with reference to your inspection in Macon, and your visit to the Bibb Brick Company, on the line of questions I propounded Mr. Edwards. Just give full details.

A. Early in the morning, on the 8th of November, we got teams; we got a double hack and a single buggy, and a negro boy drove Mr. Edwards and Mr. Stapleton in the double hack, and Mr. Powell and myself went in a single buggy. Mr. Powell did the driving, and we went down then to the Bibb road camp some ten or fifteen miles.

Q. Just start with your inspection of the Bibb Brick Company's camp.

A. I wanted to show where we were from morning until 3 o'clock in the evening

Q. That has been shown by Mr. Edwards' statement, but you can state it if you wish.

A. We went out to the Bibb road camps. I think they told us it was some ten or twelve miles out to the camps. We drove out in the morning and inspected the roads where the hands were at work, and inspected the camps and effects, and then there was another camp nearer Macon up to the left, and we drove back by that. It was some few miles out of the way, our way in coming back to Macon; but we drove back by it and went to the camp and inspected that camp. We were there some little time, and when we got back to Macon drove back to the Brown House and went in and got dinner; it was something like two o'clock in the afternoon when we got back to Macon and got dinner, and when we got dinner and our teams straightened up we drove out to the Bibb

Brick Company. We went out just the same as we had in the morning; the negro boy drove the two of them in the surrey, and Mr. Powell and myself in the single buggy and when we got out there we went to the office the first place, and the man in charge said Mr. Moore was out somewhere; maybe in Macon; I don't know where he was; he said he would be back in a short time; he was looking for him back then, and we waited for him to come in. We waited ten or fifteen minutes, maybe longer, for him, and when he came we went then through the plant, around through the place and where the convicts were at work, and around through the mess-hall and sleeping apartments, and we were all four together, all four of the committee, all the time, and everything went along. We talked pleasantly, everybody did along and we came back. I remember walking over a trestle; we did walk over a trestle. We went around on the opposite side of the brick plant where they were hauling in clay to make the brick of, and walked down the track over a little trestle and came back to where our teams were at the office and there we broke up and left them.

Q. You say there were four of you?

A. Yes, four of us.

Q. Were any of the four tight?

A. No, sir; not in the least, that I know of. No one had taken a drink that I know of.

Q. Would you have known it if they had?

A. It seems to me so. I know we had been together all day. If anybody had taken a drink I don't know it.

Q. (By Representative Atkinson.) How long did you talk with Mr. Moore after he came up?

A. While at the office?

Q. Yes.

A. Only a short time before we went around there through the plant. I disremember whether we talked about it when he first came up, the men standing there, that he was running for mayor of Macon; I think the election came off in a day or two; and we were congratulating him in advance, and hoped he would be elected. I don't remember whether that was before we went through the plant or after we came back. We were not there a great while, but quite a few minutes in all, too.

Q. (By Senator Peacock.) Do you say Mr. Moore went around through the camp with you?

A. Yes; it is my recollection he went around with us. I know there were two or three of the men, white men, went around with us, but I am not confident he went. I think he did. That has slipped my mind, for I never thought anything about that after that.

Q. (By Chairman Stephens.) The four members of your committee, as I understand you, were together, were they not, all night the night before coming up from Savannah?

A. Yes, sir; we came up in the sleeper together.

Q. And ate breakfast together?

A. Yes, sir; at the Brown House; we ate breakfast together.

Q. And you were together inspecting the other camps?

A. Yes, sir; the four of us all day, and ate dinner together.

Q. That was almost twenty-four hours that you were together.

A. Yes, sir; fully twenty-four hours.

Q. During that twenty-four hours was there any drinking among you at all?

A. If there was a drop drunk by any one I don't know it at all. I did not drink a drop. We left Savannah together on the sleeper and went to sleep and the next morning it was daylight when I waked up and the sleeper was in the car-shed in Macon.

Q. If there was a drop drunk during the night you were together did you know it?

A. No, sir; I don't know it; I know of no drinking whatever at all on the trip.

Q. Was there any appearance on the part of any member of the committee that he was under the influence of any narcotics?

A. None whatever.

Q. What time did you reach the Bibb Brick Company's plant?

A. In the afternoon.

Q. What time in the afternoon?

A. Well, I don't know exactly, but it was between three and four o'clock in the evening.

Q. Then, it was not in the morning?

A. Oh, no.

Q. How long did you remain at the camp from the time you arrived until the time you left?

A. Well, I disremember; it was something over a half hour we were inspecting the camps. I should say from the time we arrived, waiting for Mr. Moore, something like a half hour; from a half hour to an hour. I don't remember exactly. I know we took our time, going through leisurely. It must have been very near an hour. We were in a little hurry because there were two or three other camps to inspect that afternoon. Stephens Pottery, we wanted to inspect that and get back to town by dark.

Q. Are you in position to swear positively as to the condition of each member of your committee as to sobriety or drunkenness on that occasion.

A. Yes; if there was the least intoxication I could not ascertain it or detect it in the least.

Q. If there had been would you have known it?

A. Yes, sir; I would have known it.

Q. Are you in a position to swear positively on that subject as to sobriety or drunkenness of each member of your committee?

A. I am positive as to each one. Each man was sober; no one was drunk, and no one had drunk a drop



that I know anything about. As to the Royster Guano Company, we went back to town that night and spent the night at the Brown House, and got up early and got a double team and the four of us went in it, and Mr. Powell did the driving, and went out early in the morning to inspect it and came back up to Forsyth.

Q. Did anybody have to assist any of you out of the vehicle or into it?

A. No, no one had to be assisted, or was assisted in the least.

*W. C. Powell*, sworn, testified as follows; by Chairman Stephens:

Q. You have heard the statements of Mr. Edwards and Bowen.

A. Yes.

Q. Are those statements true or untrue?

A. True in all particulars.

Q. In all particulars?

A. In all particulars.

Q. Are you in condition to swear positively as to the precise condition of each member of the committee as to intoxication, or sobriety or drunkenness?

A. I am.

Q. Were they sober or drunk?

A. They were sober, every one of them.

Q. At the Royster Guano camp was it necessary, or did anything occur to indicate any member was intoxicated?

A. Not at all.

Q. Or was it necessary to help any one to or from the vehicle?

A. It was not.

Q. Was any member helped out or in the vehicle?

A. He was not. No one.

Q. What time of day did you reach the Bibb Brick Company's plant for inspection?

A. About three o'clock.

Q. How long did you remain there?

A. Something like an hour.

Q. Are there any particulars you wish to relate about your inspection there?

A. No, I think the gentlemen that preceded me have about covered the ground, but I would be glad to answer any questions that may be asked me.

Q. Was Mr. Moore there at the camp?

A. He was not there when we got there, but he came afterwards.

Q. Did he go with you through the camp?

A. My recollection is he did not, but sent an employee

with us. I won't be positive whether he went himself or not. There were three or four with us during the investigation. I can not say positively whether Mr. Moore went with us or not; but there was an employee or two.

Q. Speaking for yourself, were you under the slightest influence of alcohol or narcotics?

A. Not at all.

Q. Had you seen any indication of any one, or know of any one taking alcohol or narcotics?

A. I do not.

Q. Had you taken a drink, or seen anything, either alcohol or narcotics taken by any member of your committee?

A. I had not.

Q. Or known of any?

A. I did not.

Q. Was there any appearance of any member of the committee being under the influence of either?

A. There was not at all.

*J. R. Stapleton*, sworn, testified as follows; by Chairman Stephens:

Q. You have heard the statements of the three gentlemen who have just testified as to their visit to the Bibb Brick Company plant?

A. Yes.

Q. What have you to say as to the correctness or incorrectness of those statements?

A. Those statements are correct as far as I can now remember, sir.

Q. What time of day did your committee reach the Bibb Brick Company's plant?

A. I think it was about three o'clock, sir.

Q. How long did you remain there?

A. Something like an hour in all.

Q. How many members of your committee were there?

A. All four members were there.

Q. Was Mr. John T. Moore there when you arrived?

A. He was not.

Q. Did he come subsequently?

A. A gentleman came up whom they said was Mr. Moore, and who was introduced to us as Mr. Moore.

Q. State if you yourself was in the slightest degree under the influence of narcotics or alcoholics?

A. I was not, sir.

Q. Were you in position to know whether any other member of the committee was under such influence?

A. I think I was, sir.

Q. What have you to say about their being under the influence of such?

A. They were not under the influence of any spirituous liquors or narcotics.

Q. If they had been could you have told it?

A. I could without doubt.

Q. Are you in position to swear positively that no member of the committee on that occasion was in the slightest degree under the influence of alcoholic liquors or narcotics?

A. I am.

Q. Is there anything further you wish to state?

A. Now, as to the Royster Guano Company, I think it was five o'clock we agreed to get up and get a team and go over there, and I think we had to take the train at 7:30 to Forsyth. We had our team ready in time and drove over there before the warden got up. We waked him up, and my recollection is we were all out on the ground when he got up and nobody else was there except the guards, and we saw the hands come out to go to work.

Q. Was it necessary for any member of the committee to be assisted to alight from the vehicle?

A. It was not.

Q. Or assisted into the vehicle when you went to return from the inspection?

A. It was not, at any time.

Q. Was any one assisted or had any one to be assisted in any way?

A. No one whatever, sir.

Q. (By Senator Peacock.) How long has it been, if ever, since you were drunk?

A. I never was drunk but once in my life—not much drunk, then. I was not so drunk then but what I walked home, ate my supper and left the house without my wife finding it out.

Q. How long ago was that?

A. About thirty years ago.

*E. P. Bowen*, recalled, testified:

I just want to state that I never was drunk in my life. On the trip I had a note-book and took down notes of everything that occurred in the matter we were on that I thought we would want to make a report on, and that is why I remember things so well; I had a note-book and took down notes as to the camps we visited at the time.

Q. Did you note in your note-book the hour of the day?

A. No, sir; I didn't note that.

Chairman Stephens: Is there anybody else that would like to be heard in this investigation?

If not, the committee will stand adjourned.

*To the President of the Senate and Speaker of the House of Representatives:*

The undersigned joint committee of the General Assembly appointed under House resolution No. 199, to investigate charges made by John T. Moore of Macon, Ga., against Representatives Edwards, Bowen and Powell and Senator Stapleton, beg leave to report that the matter has been carefully investigated and considered, with the result that the following findings are respectfully submitted:

First. Each and every charge or insinuation as to each Representative and Senator involved, is without the slightest foundation in truth, is wholly unwarranted and unjust and is unhesitatingly pronounced to be false in every particular.

Second. It is believed that these charges were carelessly preferred (not to say more) and because these public servants conceived it to be their duty to criticise in some respects the convict camp in which the accuser is interested; which action is strongly condemned and denounced.

The proceedings of this committee, including the evidence adduced, are herewith appended.

WM. B. STEVENS,

Senator 1st District, Chairman.

P. M. ATKINSON,

Representative from Morgan, Secretary.

Z. V. PEACOCK,

Senator 14th District.

W. B. ADAMS,

Representative from Elbert.

L. W. JOHNSON,

Representative from Jeff Davis.

Mr. Moore, vice-chairman of the Committee on State Sanitarium, submitted the following report:

*Mr. Speaker:*

Your Committee on the State Sanitarium having made its annual visit to that institution, begs leave to submit the following report of their inspection:

Realizing as we do that this institution is the greatest charity of this great State, and that its benefits and advantages are more widely spread and more generally received by our people than any other State eleemosynary institution, we have given our visit of inspection that degree of serious investigation which the people of the State and the subject demands. It is to be regretted that every citizen of this State can not make a personal inspection of this great work, being the outlet, as it were, to the sympathies of the entire State for its mentally weak, and inasmuch as this is impracticable, no greater duty can be performed in a painstaking and serious manner by the servants of the people than a careful inspection of the enterprise which they have erected and are now maintaining for their unfortunate brethren.

Your committee, knowing the system of bookkeeping or accounts is the most important branch to the successful management of the Sanitarium, spent considerable time in an examination into the books of the steward and treasurer. Since the adoption of the present system of bookkeeping in the year 1904, it would be hard to find a system of records more perfect and complete than is presented by the institution. A careful examination discloses that a counter-check is kept by the treasurer against the Steward's department and vice versa, while the books of the depository used by the treasurer would show the exact amount of cash that the State has to its



credit for the benefit of the institution. A trial balance taken by the committee disclosed the ease and rapidity with which the true financial condition of the institution can always be ascertained, and at the same time the accuracy of the method impresses itself upon the examiner. In the matter of awarding bids for supplies for the institution, the system is simple and thorough, and when the awards are finally made by the executive committee of the board of trustees, the institution is obliged to receive the benefits of the lowest and best bids. By the practice of filing all bids made, it can be readily ascertained how the awards were made and the basis of the award. Your committee found by examination of the records relating to the purchasing of supplies that much judgment and great economy is exercised by the executive board.

We are unable to suggest any betterment of the system of accounting employed by the trustees, but commend it for its simplicity and accuracy.

Your committee made a detailed examination of the grounds and buildings of the institution with the view of ascertaining their condition. The farm or colony is an important part of the plant. It consists of 800 acres of land in cultivation, of which there are about 75 acres in cotton and the remainder in foodstuff and forage for the institution. The land is cultivated by the inmates with the exception of ten hired men, thus making the "Colony" quite a valuable feature of the institution. The quarters are sanitary and attractive, and it may be said that the inmates are the most contented to be found at the Sanitarium.

The stables and dairies are in splendid condition with the exception that a shed should be built and is recommended for the new dairy to prevent the stock from being exposed to the winter rains.

The new waterworks and ice plant were made especial subjects of examination, and the State is to be complimented upon the installation of both. A most unfailing supply of pure filtered water is provided, while the ten-ton ice plant gives all the ice necessary for refrigeration and consumption. A detailed examination into the conditions of the buildings shows the result of care and painstaking management. The cooking department has been greatly improved with a large central kitchen connected with the "Powell Building," in charge of a competent chef, under whose supervision comes this main kitchen as well as all subordinate kitchens, each of which is in charge of a competent person. While the price of foodstuffs, particularly that of beef, which costs the institution \$4,000 more this year than last, have all advanced, it is to the credit of the State that so ample and nourishing a bill of fare is provided for the patients, and to the credit of the management that this is done at so low a cost per capita. At this point in its report the committee expresses its high praise and commendation of the able management of the board of trustees and officers and employees of the institution at the low cost per capita of maintenance, it being an acknowledged fact that our Sanitarium is conducted for less than that of any other State. The increase in number of inmates over and above that which has been the experience of other years caused a deficit in this cost of maintenance of \$15,000, and will cause a deficit in the cost of maintenance for the year 1909 of \$30,000. The committee is glad to know that these appropriations have been recommended by the Committee on Appropriations, and trusts that the same will receive the prompt approval of both branches of the Assembly.

The conditions of all the buildings, viz. The T O.

Powell or Main building, the Twin buildings, the Green building, the Negro buildings, storeroom, laboratory, power plant, all show the signs of splendid management with as near perfect sanitation as facilities will permit. Walls and floors are very clean despite the character of inmates often cared for, and the toilet-rooms and bath-rooms are in splendid condition.

The committee in examining the infirmary find that the windows of the upper sash are stationary and that no ventilation of the rooms can be had from the top. We therefore recommend that this be provided for, and that wire screens also be provided for this department, both of these improvements being essential to the better work of the infirmary. We also find that the skylight of the operating room is too bright, and that the glass should be painted or rendered more opaque. We also find that the cellar under the autopsy room is in bad condition, and recommend that it be either filled or cemented.

The infirmary should be equipped with an office, to be known as the "Central History or Record Room," this being essential to a preservation of a record of the cases treated, in order that the entire official force could get such information as might be needed. This is not now provided, and no system of filing records of cases can be kept for the want of it. This would only mean the addition of one stenographer and such office furniture as would be necessary for the files.

The Sanitarium provides for the admission of epileptics under the law. This class, together with the feeble-minded children, should not be confined in an asylum for the insane, but should be provided for elsewhere at the institution. For this reason we recommend that a sufficient appropriation be made for the care and training of these unfortunates, who can in many cases become self-

sustaining, or at least self-helpful, whereas without training they go into insanity or imbecility and are a perpetual care to the State. We also recommend with all the emphasis we can command, the erection of suitable quarters for the treatment of tuberculous patients. As it is this disease is not segregated, and can not be with the facilities at the hands of the medical staff. This necessary addition will not cost much and will mean a great deal.

We are not perfunctory or guilty of fulsome praise when we say that the management of this institution from Dr. L. M. Jones, the superintendent and resident physician, down to the humblest employe reflects credit upon their fidelity to a great and patriotic duty, which entitles them to the praise and appreciation of the people of the State.

We commend to the careful consideration of the members of the Assembly the detailed reports of the superintendent and trustees of the Sanitarium as it has been printed for public information. Our investigation proves these reports to be conservative and true.

We append hereto a copy of the statement showing the deficit in the appropriations for this year and the year 1909 as it has been furnished this committee by the superintendent. That the necessities therein set forth will be met we do not doubt.

Respectfully submitted.

R. M. MOORE,  
Vice-Chairman of Committee on State Sanitarium.

#### EXHIBIT "A."

The increase in population has been averaging about fifty a year. When our board of trustees asked for appropriations for the years 1908 and 1909 they estimated

our increase would be about fifty for each year and asked for appropriations accordingly, but the Legislature gave us \$7,816 less than the amount asked for for this year and next year. Instead of an increase of fifty for the year 1907 we had an increase of 130, and for the first six months of this year our population has already increased 130—an unprecedented and unlooked-for increase. We commenced this year with a deficit of \$8,176. Our expenses last year amounted to \$388,187. Our appropriation for this year is \$390,000 and for 1909 \$395,000. We now have on hand ninety-five patients more than we can take care of with the appropriation of this year. Unless we get the amounts asked for, we will be compelled to close our doors to all applicants.

(Signed)

L. M. JONES,

Superintendent, etc.

Mr Hall of Bibb moved that the session be extended from 5 o'clock to 5:30 o'clock p.m. for the consideration of local bills for third time and reading all local bills a second time, which motion prevailed.

The following bills were read the second time, to wit:

By Messrs. Alexander and Candler—

A resolution requesting State Librarian to furnish Georgia Reports to DeKalb county

By Mr Wright of Floyd—

A bill to amend an Act to regulate the employment of children in factories, etc.

By Mr. Estes—

A bill to exempt all Confederate soldiers from a professional tax.

By Mr. Ward of Coffee—

A resolution to pay pension due Jno. M. Surrency to his widow.

By Mr. Adams of Wilkinson—

A resolution to put the name of Mrs. Lucy Lockhart on the pension rolls.

By Mr. Hall of Bibb—

A bill to provide for the assessment of property in this State, of which the owners are required by law to make returns to the Comptroller-General of this State.

On motion of Mr. Blackburn, the following resolution was read the second time for the purpose of disagreeing to the unfavorable report of the committee, to wit:

By Messrs. Holder and Blackburn—

A resolution for the relief of the heirs of Sherman J. Sims.

The unfavorable report of the committee was agreed to and the resolution was lost.

Mr. Butt moved to disagree to the unfavorable report of the committee on the following resolution, to wit:

By Mr. Butt of Fannin—

A resolution to instruct the Attorney-General to take

over the decree authorized in the decision of the State of Georgia vs. The Tennessee Copper Company et al.

Discussion of the above bill was suspended and by unanimous consent the following bill was read the second time and recommitted, to wit:

By Messrs. Bell and Blackburn—

A bill to appropriate \$7,500 for the support and maintenance of the laboratory of the board of health.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. White of Screven—

A bill to amend an Act to create the city court of Sylvania.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 94, nays 0.

The bill having received the requisite constitutional majority was passed.

The hour of 5 o'clock having arrived, the following bills, which were made the special order for the next thirty minutes, were taken up and read the second time, to wit:

By Messrs. Young and Tuggle—

A bill to authorize the city of West Point to grant certain right of way to the A. & W P Railroad and the W of A. Railroad.

By Messrs. Tuggle and Young—

A bill to authorize the city of West Point to close up Bridge street.

By Mr. Ballard—

A bill to change the number of county commissioners of Newton county.

By Mr. Jones of Mitchell—

A bill to amend an Act to incorporate the town of Pelham.

By Mr. Calbeck—

A bill to authorize the town of Calhoun to make deeds to certain part of Jno. P King park.

By Messrs. Candler and Alexander —

A bill to incorporate the town of Chamblee.

By Messrs. Alexander and Candler—

A bill to authorize the county of DeKalb to issue bonds.

By Messrs. Alexander and Candler—

A bill to amend the charter of the town of Kirkwood.

On motion of Mr. Cook of Telfair House bill No. 1130 was taken from the Committee on Counties and County Matters and referred to the Committee on Special Judiciary.



The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Wright of Floyd—

A resolution to make House bill No. 115 a special order.

The following bills were read the third time and put upon their passage, to wit

By Mr. Mercer—

A bill to abolish the Dawson water and light commission.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Massengale—

A bill to amend an Act to incorporate the town of Norwood.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Payton of Worth—

A bill to amend the charter of the city of Sylvester.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 95, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Eaves of Haralson—

A bill to incorporate the town of Buchanan, in Haralson county.

The committee proposed to amend by making the caption read as follows: "An Act to repeal an Act entitled an Act to incorporate the town of Buchanan, in the county of Haralson, approved November 7, 1889; to repeal an Act amending said Act, approved December 13, 1902; to incorporate the city of Buchanan, in the county of Haralson, State of Georgia, to define the corporate powers of said city; to define the corporate limits of said city; to provide for the election of mayor and councilmen of said city and fix their term of office; to provide for the retention of the present mayor and council of said city until the election of mayor and council under this charter, to define the qualifications of mayor and council; to provide for vacancies; to provide for the management of elections and qualification of voters; to prescribe the oath of mayor and councilmen and define the duties and powers of mayor and councilmen; to provide for mayor pro tem, marshal and other city officers, and define their duties and powers; to provide for salaries of mayor, councilmen and other officers of said city; to authorize the mayor and council to license and collect a special tax from all persons, firms or corporations, following or carrying on any trade, profession, business,

calling or avocation in said city, and from any person, firm or corporation engaged in carrying on or offering to carry on any sort of trade, trick or device or show or anything akin thereto; to fully regulate and control all kinds of trades, business and calling; to provide for payment of license before engaging in such business; to provide penalties for the violation of such ordinances; to authorize the mayor and council to levy and collect the tax from the property in said city; to provide for the manner of assessment of an equalization of taxes on real and personal property in said city; to provide for the issuing of tax executions for taxes due the city and the sale of real and personal property under such executions; to provide for the forfeiture of recognizance; to provide for the enforcement of fines and forfeitures by judgment and execution, to provide for a board of tax assessors; to provide for laying out streets, alleys, sidewalks, drives, parks and other public grounds and maintain the same; to provide for the condemnation of property; to regulate and prohibit the sale of spirituous and intoxicating liquors, wines and beers, or any character of intoxicating liquors and to prescribe penalties for the violation of same; to provide for the construction and maintenance of a system of waterworks and lighting plant and sewerage; to provide and regulate fire, sanitary and public protection, to prescribe the manner in which all city ordinances for the government of said city shall be enacted and penalties for the violation of the same; to define and prescribe the police powers and regulations of said city and for other purposes. This July 1, 1908.

The amendment was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The following Senate bills were read the first time, to wit:

By Mr. Dobbs of 35th district—

A bill to amend an Act to create a new charter for Marietta.

Referred to Committee on Corporations.

By Mr. Dobbs of 35th district—

A bill to amend an Act to create new charter for Atlanta.

Referred to Special Judiciary Committee.

By Mr. Dobbs of 35th district—

A bill to repeal an Act to incorporate the town of Battle Hill.

Referred to Special Judiciary Committee.

By Mr. Dobbs of 35th district—

A bill to repeal an Act to incorporate the town of Edgewood.

Referred to Special Judiciary Committee.

The order of business having been exhausted, the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.,

Thursday, August 6, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the roll call and the reading of the Journal were dispensed with.

Mr. Blackburn gave notice that at the proper time he would move to reconsider the action of the House in refusing to disagree to the unfavorable report of the committee on resolution 260.

The following bill was taken up by unanimous consent and the Senate amendment concurred in, to wit:

By Messrs. Davis and Fagan—

A bill to establish a city court in and for the county of Houston.

The Senate proposed to amend by striking all of section 10 and inserting the following:

Sec. 10. Be it further enacted, That the clerk of the superior court of Houston county shall by virtue of his office be clerk of said city court and shall perform in said city court the same duties that are by law required of him as an officer of the superior court, so far as the same does not conflict with the provisions of this Act. Before entering upon his duties the said clerk shall execute a

bond in the sum of \$1,000, payable to the Governor, conditioned for the faithful discharge of the duties of his office, which bond shall be approved by the judge of the said court and entered on the minutes thereof, and which bond may be sued on by any person interested. In the event the clerk of the superior court shall fail to qualify or to execute said bond, the judge of said city court is hereby authorized to appoint a clerk for said court.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. Blackburn—

A bill to authorize the trustees of the Confederate Soldiers' Home to sell and convey certain property.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Flannigan, Holder and Martin—

A bill to increase the salary of the State Entomologist.

Mr. Holder proposed to amend by striking "\$2,400," and insert "\$2,000."

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 104, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Hall of Bibb—

A bill to allow corporations and individuals to construct and maintain dams across non-navigable streams.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Couch of Coweta—

A bill to amend section 982, volume 1 of the Code so as to made Senoia a State depository.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. White of Madison—

A bill to amend section 982, volume 1 of the Code so as to make the town of Comer a State depository.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

The following House and Senate bills were read the second time by unanimous consent, to wit:

By Messrs. Heard and Adkins of Dooly—

A bill to amend an Act to increase the membership of the Railroad Commission.

By Mr. Cowart of 9th district—

A bill to amend an Act to create a board of commissioners of roads and revenues for Calhoun county.

The above bill was recommitted.

By unanimous consent, House bill No. 1022, was set as a special continuing order to follow the special orders set for today.

By unanimous consent the following Senate bill was read the first time, to wit:

By Mr. Overstreet of 17th district—

A bill to regulate the publication of legal advertisements in certain counties.

Referred to Special Judiciary Committee.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to amend the Constitution by adding at the end



of section 6, article 7, "to pay the county police and to provide for necessary sanitation."

A bill to authorize the mayor and council of Byromville to issue bonds for public school purposes.

A bill to change the time of holding Troup county superior court.

A bill to instruct trustees of University of Georgia to convey realty to board of education of Thomasville.

A bill to create a board of commissioners of roads and revenues for the county of Johnson.

A bill to amend an Act establishing the city court of Ashburn.

A bill to amend the charter of city of Athens.

The following message was received from the Senate, through Mr. Northen, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed as amended by the requisite constitutional majority the following House bill, to wit:

A bill to amend an Act creating a board of commissioners of roads and revenues of Jackson county.

The Senate has passed, by the requisite constitutional majority, the following resolution of the House, to wit:

A resolution for the relief of A. M. Hutchinson, of Hancock county.

A resolution to authorize the county authorities of

Dade county to relieve sureties on bond of John M. Castleberry.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the Senate, to wit:

A bill to repeal an Act to incorporate the town of Kingwood, in the county of Colquitt.

A bill to regulate the exchange between Georgia and other States of State documents.

A bill to amend the charter of the city of Ocilla.

By unanimous consent, the following Senate bill was read the third time and put upon its passage, to wit:

By Mr. Stephens of 1st district—

A bill to allow judges of city courts in certain counties to appoint special bailiffs.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority, was passed.

By unanimous consent, the following bill was taken up and read the third time and put upon its passage, to wit:

By Mr. Kendrick of Taliaferro—

A bill to provide against mending and selling burglars' tools, and for other purposes.

Before the above bill could be disposed of the hour for the consideration of the special order arrived and the same was carried over as unfinished business.

The special order fixed for this time is the following bill, which was read the third time and put upon its passage, to wit:

By Mr. Wise of Fayette—

A bill to amend an Act to levy and collect a tax for the support of the State government, etc., for years 1908 and 1909 so as to put a tax on "near-beer."

Mr. Wise of Fayette moved to disagree to the unfavorable report of the committee, which motion prevailed.

Mr. Wise of Fayette proposed a substitute for the above bill, which was adopted.

On the passage of the bill Mr. Perry called for the ayes and nays, which call was sustained, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Ballard,	Brown of Oglethorpe.
Adams of Elbert,	Barksdale,	Burkhalter,
Adams of Wilkinson,	Barrett,	Burwell,
Adkins,	Barrow,	Butt,
Alexander,	Berry,	Callaway,
Anderson of Cobb,	Bond,	Candler,
Atkinson,	Bowen,	Cannon,
Austin,	Brown of Carroll,	Clark,

Clifton,	Holder,	Reid of Putnam,
Collum,	Howard,	Reid of Wilcox,
Cook of Chat'hoochee,	Hubbard,	Rogers,
Cook of Telfair,	Huie,	Rountree,
Cooke of Thomas,	Hullender,	Russell,
Covington,	Jackson,	Ryals,
Couch,	Johnson of Jeff Davis,	Simmons,
Cowan,	Johnson of Towns,	Slade,
Crawford,	Jones of Mitchell,	Smith of Calhoun,
Culbreth,	Kendall,	Smith of Campbell,
Daniel,	Kendrick,	Stewart,
Davis,	Lively,	Strickland,
Davison,	Lumsden,	Stubbs,
Dean,	Lunsford,	Swilling,
Dickey,	Matthews,	Taylor of Appling,
Donalson,	McIntyre,	Taylor of Sumter,
Dunbar,	McMahan,	Thorne,
Duggan,	McMichael,	Tracy,
Dykes,	McMullan,	Trent,
Edmondson,	McWilliams,	Tuggle,
Edwards,	Martin,	Tyson,
Ellison,	Massengale,	Walker of Milton,
Estes,	Mays,	Walker of Wash'ton,
Flanders,	Moore,	Ward,
Flannigan,	Morris,	Watkins,
Foster,	Mundy,	White of Madison,
Frier,	Nix,	White of Screven,
Fullbright,	Nowell,	Whitley,
Gibson,	Orr,	Williams,
Godley,	Parker,	Wilson,
Goode,	Parrish,	Wise,
Hamilton,	Payton,	Wootten,
Hardeman,	Persons,	Wright of Floyd,
Harris,	Peterson,	Wright of Richmond,
Haywood,	Pope of Dade,	Wynne,
Hines,	Reid of Macon,	Young,

Those voting in the negative were Messrs.—

Allen,	Crumbley,	Huff,
Anderson of Bulloch,	Glenn,	Jones of Meriwether,
Arnold,	Guyton,	Keith,
Buchannon,	Hall,	MacFarland,
Chamlee,	Heard,	McCarthy,

Odum,  
Perry,  
Slater,

Stephens,  
Sumner,  
Terrell,

Thurman,  
Townsend,  
Warnell,

Those not voting were Messrs.—

Ashley,  
Atwater,  
Bell,  
Blackburn,  
Boyd,  
Calbeck,  
Dorminy,  
Eaves,  
Fagan,

Fowler,  
Fraser,  
Furr,  
Geer,  
Hill,  
Johnson of Jasper,  
Lee,  
Maxwell,  
Mercer,

Pope of Brooks,  
Powell,  
Price of Bartow,  
Price of Oconee,  
Shaw,  
Sheffield,  
Tift,  
Walker of Lowndes,  
Mr. Speaker.

By unanimous consent, the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 132, nays 24.

The bill having received the requisite constitutional majority was passed by substitute.

Upon direction of the Speaker the next special orders were taken up, the first of which is as follows, to wit

By Mr. Candler of DeKalb—

A bill to supplement and increase the appropriations made for the support of the Railroad Commission for 1908 and 1909.

On motion of Mr. Wright of Richmond, debate on the above bill in the committee of the whole was limited to five minutes.

The Speaker then resolved the House into a committee of the whole and designated as chairman Mr. Dean of Floyd.

After considering the bill the committee arose and reported the same back to the House with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Daniel,	Keith,
Alexander,	Davis,	Kendall,
Allen,	Davison,	Kendrick,
Anderson of Cobb,	Dean,	Lee,
Arnold,	Dickey,	Lumsden,
Atkinson,	Duggan,	Lunsford,
Austin,	Dykes,	MacFarland,
Barrett,	Eaves,	McCarthy,
Barrow,	Edmondson,	McIntyre,
Bell,	Edwards,	McMahan,
Berry,	Ellison,	McMichael,
Blackburn,	Flannigan,	McMullan,
Bond,	Foster,	Martin,
Brown of Carroll,	Fraser,	Massengale,
Brown of Oglethorpe,	Gibson,	Mays,
Buchannon,	Glenn,	Mercer,
Burwell,	Goode,	Moore,
Butt,	Guyton,	Morris,
Calbeck,	Hall,	Mundy,
Callaway,	Hamilton,	Nix,
Candler,	Hardeman,	Orr,
Cannon,	Harris,	Parrish,
Chamlee,	Haywood,	Perry,
Clark,	Hines,	Persons,
Clifton,	Holder,	Pope of Brooks,
Cook of Telfair,	Huff,	Powell,
Cooke of Thomas,	Huie,	Reid of Macon,
Covington,	Hullender,	Reid of Putnam,
Couch,	Jackson,	Reid of Wilcox,
Cowan,	Johnson of Towns,	Rogers,
Crumbley,	Jones of Meriwether,	Rountree,
Culbreth,	Jones of Mitchell,	Russell,

Ryals,	Taylor of Appling,	Ward,
Shaw,	Taylor of Sumter,	Warnell,
Simmons,	Thorne,	Watkins,
Slade,	Tift,	White of Madison,
Slater,	Tracy,	Wilson,
Smith of Calhoun,	Trent,	Wootten,
Smith of Campbell,	Tuggle,	Wright of Richmond,
Stephens,	Tyson,	Wynne,
Stewart,	Walker of Milton,	Young,
Sumner,		

Those voting in the negative were Messrs.—

Boyd,	Fullbright,	Pope of Dade,
Crawford,	Lively,	

Those not voting were Messrs.—

Adams of Chatham,	Fowler,	Peterson,
Adams of Elbert,	Frier,	Price of Bartow,
Adams of Wilkinson,	Furr,	Price of Oconee,
Anderson of Bulloch,	Geer,	Sheffield,
Ashley,	Godley,	Strickland,
Atwater,	Heard,	Stubbs,
Ballard,	Hill,	Swilling,
Barksdale,	Howard,	Terrell,
Bowen,	Hubbard,	Thurman,
Burkhalter,	Johnson of Jasper,	Townsend,
Collum,	Johnson of Jeff Davis,	Walker of Lowndes,
Cook of Chat'hoochee,	Matthews,	Walker of Wash'ton,
Donalson,	McWilliams,	White of Screven,
Dorminy,	Maxwell,	Whitley,
Dunbar,	Nowell,	Williams,
Estes,	Odum,	Wise,
Fagan,	Parker,	Wright of Floyd,
Flanders,	Payton,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 124, nays 5.

The bill having received the requisite constitutional majority was passed.

By unanimous consent it was ordered that debate on the following special orders be limited to five minutes to the side while in the committee of the whole.

The next special order is as follows:

By Mr. Candler of DeKalb—

A bill to appropriate \$30,000 to the trustees of the University of Georgia for the support and maintenance of the Agricultural College at Athens.

On motion of Mr. Candler, the House was again resolved into a committee of the whole and the Speaker designated as chairman Mr. Hill of Monroe.

After a consideration of the bill the committee arose and through its chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Berry,	Clifton,
Adams of Elbert,	Blackburn,	Collum,
Adkins,	Bond,	Cook of Chat'hoochee,
Alexander,	Brown of Oglethorpe.	Cook of Telfair,
Allen,	Buchannon,	Cooke of Thomas,
Anderson of Bulloch,	Burkhalter,	Covington,
Arnold,	Burwell,	Couch,
Atkinson,	Butt,	Cowan,
Ballard,	Callaway,	Crawford
Barksdale,	Candler,	Crumbley,
Barrett,	Cannon,	Culbreth,
Barrow,	Chamlee,	Daniel,
Bell,	Clark,	Davis,



Davison,	Keith,	Rountree,
Dean,	Kendall,	Russell,
Dickey,	Lee,	Ryals,
Donalson,	Lively,	Shaw,
Duggan,	Lumsden,	Simmons,
Dykes,	Lunsford,	Slade,
Faves,	MacFarland,	Slater,
Edmondson,	McCarthy,	Smith of Campbell,
Flanders,	McIntyre,	Stewart,
Flannigan,	McMahan,	Sumner,
Foster,	McMullan,	Taylor of Appling,
Fullbright,	Martin,	Taylor of Sumter,
Geer,	Massengale,	Terrell,
Gibson,	Maxwell,	Thorne,
Glenn,	Mays,	Tracy,
Godley,	Mercer,	Tuggle,
Goode,	Moore,	Tyson,
Guyton,	Mundy,	Walker of Milton,
Hall,	Nix,	Walker of Wash'ton,
Hamilton,	Odum,	Ward,
Harris,	Orr,	Warnell,
Haywood,	Parker,	Watkins,
Hines,	Parrish,	White of Screven,
Holder,	Payton,	Whitley,
Hubbard,	Perry,	Wilson,
Huff,	Persons,	Wootten,
Huie,	Price of Oconee,	Wright of Floyd,
Hullender,	Reid of Macon,	Wright of Richmond,
Johnson of Towns,	Reid of Putnam,	Wynne,
Jones of Meriwether	Rogers,	Young,
Jones of Mitchell,		

Those voting in the negative were Messrs.—

Calbeck,	Pope of Dade,	Trent,
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Those not voting were Messrs.—

Adams of Wilkinson,	Boyd,	Estes,
Anderson of Cobb,	Brown of Carroll,	Fagan,
Ashley,	Dorminy,	Fowler,
Atwater,	Dunbar,	Fraser,
Austin,	Edwards,	Frier,
Bowen,	Ellison,	Furr,

Hardeman,	Morris,	Stubbs,
Heard,	Nowell,	Swilling,
Hill,	Peterson,	Thurman,
Howard,	Pope of Brooks,	Tift,
Jackson,	Powell,	Townsend,
Johnson of Jasper,	Price of Bartow,	Walker of Lowndes,
Johnson of Jeff Davis,	Reid of Wilcox,	White of Madison,
Kendrick,	Sheffield,	Williams,
Matthews,	Smith of Calhoun,	Wise,
McMichael,	Stephens,	Mr. Speaker.
McWilliams,	Strickland,	

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 130, nays 3.

The bill having received the requisite constitutional majority was passed.

By Messrs. Candler, Atkinson, Sumner, Dykes et al.—

A bill to amend an Act to make appropriation for the ordinary expenses of the State government by appropriating the fees arising from inspection of fertilizers, oils and pure foods, to the support of the district agricultural schools.

An appropriation being involved, the Speaker again resolved the House into a committee of the whole and designated as chairman Mr. Nix of Gwinnett.

After considering the bill the committee arose and through its chairman reported the same back to the House with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Dean,	McMichael,
Adams of Elbert,	Dickey,	McMullan,
Adkins,	Donalson,	McWilliams,
Alexander,	Dorminy,	Martin,
Anderson of Bulloch,	Duggan,	Mays,
Anderson of Cobb,	Dykes,	Moore,
Arnold,	Eaves,	Morris,
Atkinson,	Edmondson,	Nix
Austin,	Edwards,	Odum,
Barksdale,	Ellison,	Orr,
Barrett,	Estes,	Parker,
Barrow,	Flanders,	Parrish,
Berry,	Foster,	Payton,
Blackburn,	Fraser,	Perry,
Bond,	Fullbright,	Persons,
Bowen,	Geer,	Pope of Brooks,
Boyd,	Gibson,	Powell,
Brown of Carroll,	Glenn,	Price of Oconee,
Brown of Oglethorpe,	Godley,	Reid of Macon,
Buchannon,	Goode,	Reid of Putnam,
Burkhalter,	Guyton,	Rogers,
Burwell,	Hamilton,	Rountree,
Butt,	Hardeman,	Ryals,
Calbeck,	Harris,	Simmons,
Callaway,	Haywood,	Slade,
Candler,	Heard,	Slater,
Cannon,	Hill,	Smith of Calhoun,
Chamlee,	Hines,	Smith of Campbell,
Clark,	Holder,	Stephens,
Clifton,	Hubbard,	Stewart,
Collum,	Huff,	Strickland,
Cook of Chat'hoochee,	Hullender,	Sumner,
Cook of Telfair,	Johnson of Towns,	Swilling,
Cooke of Thomas,	Jones of Meriwether,	Taylor of Appling,
Covington,	Jones of Mitchell,	Taylor of Sumter,
Couch,	Lee,	Terrell,
Cowan,	Lively,	Thorne,
Crawford,	Lumsden,	Thurman,
Crumbley,	Lunsford,	Trent,
Culbreth,	MacFarland,	Tuggle,
Daniel,	McCarthy,	Tyson,
Davis,	McIntyre,	Walker of Lowndes,
Davison,	McMahan,	Walker of Milton,

Walker of Wash'ton,	Whitley,	Wooten,
Ward,	Williams,	Wright of Floyd,
Watkins,	Wilson,	Wright of Richmond,
White of Screven,	Wise,	Young,

Those voting in the negative were Messrs.—

Ballard,	Huie,	Pope of Dade,
Flannigan,	Kendrick,	Wynne,
Hall,	Mundy,	

Those not voting were Messrs.—

Adams of Wilkinson,	Johnson of Jasper,	Reid of Wilcox,
Allen,	Johnson of Jeff Davis,	Russell,
Ashley,	Keith,	Shaw,
Atwater,	Kendall,	Sheffield,
Bell,	Matthews,	Stubbs,
Dunbar,	Massengale,	Tift,
Fagan,	Maxwell,	Townsend,
Fowler,	Mercer,	Tracy,
Frier,	Nowell,	Warnell,
Furr,	Peterson,	White of Madison,
Howard,	Price of Bartow,	Mr. Speaker.
Jackson,		

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 141, nays 8.

The bill having received the requisite constitutional majority was passed.

By Messrs. Martin, McMullan and Candler—

A bill to appropriate \$25,000 for fiscal year 1908 and \$50,000 for fiscal year 1909 to the State University for the support and maintenance of the Agricultural College at Athens.

The House was again resolved into a committee of the whole and the Speaker designated as chairman Mr Fullbright of Burke.

After a consideration of the bill the committee arose, and through its chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Cooke of Thomas,	Hamilton,
Adams of Elbert,	Covington,	Hardeman,
Alexander,	Couch,	Hill,
Allen,	Crumley,	Hines,
Anderson of Bulloch,	Culbreth,	Holder,
Anderson of Cobb,	Daniel,	Hubbard,
Atkinson,	Davis,	Huff,
Austin,	Davison,	Johnson of Towns,
Ballard,	Dean,	Jones of Meriwether,
Barksdale,	Dickey,	Jones of Mitchell,
Barrow,	Donalson,	Keith,
Bell,	Dorminy,	Lee,
Berry,	Duggan,	Lively,
Blackburn,	Dykes,	Lumsden,
Bond,	Eaves,	Lunsford,
Bowen,	Edwards,	Matthews,
Brown of Carroll,	Ellison,	MacFarland,
Brown of Oglethorpe,	Estes,	McCarthy,
Buchannon,	Flannigan,	McIntyre,
Burkhalter,	Foster,	McMahan,
Burwell,	Fraser,	McMichael,
Butt,	Fullbright,	McMullan,
Candler,	Geer,	Martin,
Cannon,	Gibson,	Mays,
Clifton,	Godley,	Mercer,
Cook of Chat'hoochee,	Goode,	Moore,
Cook of Telfair,	Guyton,	Morris,

Orr,	Ryals,	Tuggle,
Parker,	Slade,	Walker of Lowndes,
Parrish,	Slater,	Walker of Wash'ton,
Persons,	Smith of Campbell,	Ward,
Pope of <b>Brooks</b> ,	Stewart,	Warnell,
Powell,	Sumner,	Watkins,
Price of <b>Oconee</b> ,	Taylor of Appling,	White of Screven,
Reid of <b>Macon</b> ,	Taylor of Sumter,	Whitley,
Reid of Putnam,	<b>Terrell</b> ,	<b>Williams</b> ,
Reid of Wilcox,	Thorne,	Wootten,
Rountree,	Tift,	Wright of Richmond,
Russell,	Trent,	Young,

Those voting in the negative were Messrs.—

Adkins,	Hall,	Perry,
Boyd,	Harris,	Pope of Dade,
Calbeck,	Haywood,	Rogers,
Chamlee,	Heard,	Simmons,
Clark,	Hullender,	Stephens,
Collum,	Jackson,	Strickland,
Cowan,	Kendall,	Thurman,
Crawford,	Kendrick,	Tyson,
Edmondson,	McWilliams,	Walker of Milton,
Glenn,	Mundy,	Wynne,

Those not voting were Messrs.—

Adams of Wilkinson,	Howard,	Shaw,
Arnold,	Huie,	Sheffield,
Ashley,	Johnson of Jasper,	Smith of Calhoun,
Atwater,	Johnson of Jeff Davis,	Stubbs,
Barrett,	Massengale,	Swilling,
Callaway,	Maxwell,	Townsend,
Dunbar,	Nix,	Tracy,
Fagan,	Nowell,	White of Madison,
Flanders,	Odum,	Wilson,
Fowler,	Payton,	Wise,
Frier,	Peterson,	Wright of Floyd,
Furr,	Price of <b>Bartow</b> ,	Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 117, nays 30.

The bill having received the requisite constitutional majority was passed.

On motion of Mr. Alexander, the session was extended for fifteen minutes for the purpose of

- (1) Reading local bills and resolutions third time.
- (2) Introduction of local bills and resolutions.
- (3) Reading local bills and resolutions favorably reported second time.

On motion of Mr. Candler, the appropriation bills just passed were ordered immediately transmitted to the Senate.

By Mr. McMahan of Clarke—

A bill to appropriate \$7,000 to the trustees of the State University for the use of the State Normal School at Athens.

Before final action on the above bill could be taken the hour of adjournment arrived and the business for which the session was extended was taken up.

The first business in order was the reading of local bills a third time, and the following were put upon their passage, to wit:

By Messrs. Tuggle and Young—

A bill to authorize the city of West Point to close up Bridge street.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Young and Tuggle—

A bill to authorize West Point to grant certain right of way to the A. & W P R. R. and the W & A. R. R.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Alexander and Candler—

A bill to authorize the county of DeKalb to issue bonds.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Alexander and Candler—

A bill to amend the charter of the town of Kirkwood.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.



The bill having received the requisite constitutional majority was passed.

By Mr. Ballard of Newton—

A bill to change the number of county commissioners of Newton county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Candler and Alexander—

A bill to incorporate the town of Chamlee.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Calbeck of Gordon—

A bill to authorize the town of Calhoun to sell and make deeds to part of Jno. P King park.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Jones of Mitchell—

A bill to amend an Act to incorporate the town of Pelham.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Parker, chairman of the Committee of Enrollment, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to wit:

An Act providing for the creation of a board of health for the city of Athens.

An Act to amend an Act establishing the city court of Dalton.

An Act to authorize the city of Lavonia, in Franklin county, to establish and maintain a system of public schools.

An Act to abolish the county court of Houston county.

An Act to establish the city court in and for Miller county.

An Act to repeal an Act establishing the city court of Miller county.

An Act to create a new charter for the city of Jackson.

An Act to amend the charter of the town of Perry, Houston county.

An Act to establish the city court of Houston county.

The following Senate bills were read the first time, to wit:

By Mr. Wilkes of 7th district—

A bill to repeal an Act to incorporate the town of Kingwood.

Referred to Committee on Corporations.

By Mr. Henderson of 15th district—

A bill to amend the charter of the city of Ocilla.

Referred to Committee on Corporations.

The order of business having been finished, the Speaker announced the House adjourned until 3 o'clock this afternoon.

3 O'clock P. M.

The House reconvened at this hour and was called to order by the Speaker.

The roll was called and the following members answered to their names:

Adams of Chatham,	Cowan,	Holder,
Adams of Elbert,	Crawford,	Howard,
Adams of Wilkinson,	Crumbley,	Hubbard,
Adkins,	Culbreth,	Huff,
Alexander,	Daniel,	Huie,
Allen,	Davis,	Hullender,
Anderson of Bulloch,	Davison,	Jackson,
Anderson of Cobb,	Dean,	Johnson of Jasper,
Arnold,	Dickey,	Johnson of Jeff Davis,
Ashley,	Donalson,	Johnson of Towns,
Atkinson,	Dorminy,	Jones of Meriwether,
Atwater,	Dunbar,	Jones of Mitchell,
Austin,	Duggan,	Keith,
Ballard,	Dykes,	Kendall,
Barksdale,	Eaves,	Kendrick,
Barrett,	Edmondson,	Lee,
Barrow,	Edwards,	Lively,
Bell,	Ellison,	Lumsden,
Berry,	Estes,	Lunsford,
Blackburn,	Fagan,	Matthews,
Bond,	Flanders,	MacFarland,
Bowen,	Flannigan,	McCarthy,
Boyd,	Foster,	McIntyre,
Brown of Carroll,	Fowler,	McMahan,
Brown of Oglethorpe,	Fraser,	McMichael,
Buchannon,	Frier,	McMullan,
Burkhalter,	Fullbright,	McWilliams,
Burwell,	Furr,	Martin,
Butt,	Geer,	Massengale,
Calbeck,	Gibson,	Maxwell,
Callaway,	Glenn,	Mays,
Candler,	Godley,	Mercer,
Cannon,	Goode,	Moore,
Chamlee,	Guyton,	Morris,
Clark,	Hall,	Mundy,
Clifton,	Hamilton,	Nix,
Collum,	Hardeman,	Nowell,
Cook of Chat'hoochee,	Harris,	Odum,
Cook of Telfair,	Haywood,	Orr,
Cooke of Thomas,	Heard,	Parker,
Covington,	Hill,	Parrish,
Couch,	Hines,	Payton,

Perry,	Smith of Calhoun,	Walker of Lowndes,
Persons,	Smith of Campbell,	Walker of Milton,
Peterson,	Stephens,	Walker of Wash'ton,
Pope of Brooks,	Stewart,	Ward,
Pope of Dade,	Strickland,	Warnell,
Powell,	Stubbs,	Watkins,
Price of Bartow,	Sumner,	White of Madison,
Price of Oconee,	Swilling,	White of Screven,
Reid of Macon,	Taylor of Appling,	Whitley,
Reid of Putnam,	Taylor of Sumter,	Williams,
Reid of Wilcox,	Terrell,	Wilson,
Rogers,	Thorne,	Wise,
Rountree,	Thurman,	Wootten,
Russell,	Tift,	Wright of Floyd,
Ryals,	Townsend,	Wright of Richmond,
Shaw,	Tracy,	Wynne,
Sheffield,	Trent,	Young,
Simmons,	Tuggle,	Mr. Speaker.
Slade,	Tyson,	
Slater,		

Mr. Candler asked unanimous consent that the special continuing order which was being considered when the hour of adjournment arrived this morning be postponed until 30 minutes after the confirmation of the Journal to-morrow morning, which was granted.

The following resolutions were read and referred to the Committee on Rules, to wit:

By Mr. Burkhalter—

A resolution to make the "Australian ballot bill" a special order.

By Mr. Alexander—

A resolution to fix House bill No. 1043 the special order for to-morrow at 3:30 p.m.

The following bill, which was made a special order,

was read the third time and put upon its passage, to wit:

By Mr. Hall of Bibb—

A bill to provide for the codification of the laws of Georgia; to provide for a commission to codify said laws, and for other purposes.

The substitute proposed by the committee was read.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Fullbright of Burke.

After a consideration of the bill the committee arose, and through its chairman reported the same back with the recommendation that it do pass by substitute.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

Those voting the affirmative were Messrs.—

Adams of Elbert,	Butt,	Duggan,
Alexander,	Calbeck,	Dykes,
Allen,	Callaway,	Edwards,
Anderson of Bulloch,	Candler,	Flanders,
Arnold,	Chamlee,	Flannigan,
Atkinson,	Cook of Chat'hoochee,	Foster,
Austin,	Cook of Telfair,	Fowler,
Bell,	Cooke of Thomas,	Fraser,
Blackburn,	Covington,	Fullbright,
Bond,	Cowan,	Geer,
Brown of Carroll,	Daniel,	Gibson,
Brown of Oglethorpe.	Dean,	Glenn,
Burkhalter,	Dunbar,	Godley,

Goode,	Mays,	Stubbs,
Hamilton,	Morris,	Swilling,
Hines,	Nix,	Taylor of Sumter,
Holder,	Nowell,	Terrell,
Jackson,	Orr,	Tracy,
Johnson of Towns,	Perry,	Trent,
Jones of Meriwether,	Powell,	Tuggle,
Jones of Mitchell,	Reid of Putnam,	Tyson,
Kendall,	Rogers,	Walker of Milton,
Lumsden,	Ryals,	Walker of Wash'ton,
McCarthy,	Sheffield,	Ward,
McIntyre,	Slade,	Watkins,
McMahan,	Slater,	White of Screven,
McMichael,	Smith of Calhoun,	Wise,
McMullan,	Smith of Campbell,	Wright of Richmond,
Martin,	Strickland,	Young,
Massengale,		

Those voting in the negative were Messrs.—

Adams of Chatham,	Estes,	Persons,
Adams of Wilkinson,	Guyton,	Peterson,
Adkins,	Hall,	Pope of Brooks,
Anderson of Cobb,	Harris,	Pope of Dade,
Ballard,	Haywood,	Reid of Macon,
Barksdale,	Heard,	Rountree,
Barrow,	Hill,	Shaw,
Berry,	Howard,	Simmons,
Buchannon,	Hubbard,	Stephens,
Burwell,	Huff,	Stewart,
Cannon,	Huie,	Sumner,
Clark,	Hullender,	Taylor of Appling,
Clifton,	Johnson of Jeff Davis,	Thorne,
Collum,	Kendrick,	Thurman,
Couch,	Lunsford,	Townsend,
Crawford,	MacFarland,	Warnell,
Crumbley,	McWilliams,	White of Madison,
Davis,	Maxwell,	Whitley,
Davison,	Moore,	Wootten,
Faves,	Odum,	Wright of Floyd,
Edmondson,	Parker,	Wynne,
Ellison,	Parrish,	

Those not voting were Messrs.—

Ashley,	Frier,	Payton,
Atwater,	Furr,	Price of Bartow,
Barrett,	Hardeman,	Price of Oconee,
Bowen,	Johnson of Jasper,	Reid of Wilcox,
Boyd,	Keith,	Russell,
Culbreth,	Lee,	Tift,
Dickey,	Lively,	Walker of Lowndes,
Donalson,	Matthews,	Williams,
Dorminy,	Mercer,	Wilson,
Fagan,	Mundy,	Mr. Speaker.

The roll-call was verified and on counting the votes cast it was found that the ayes were 88, nays 65, so the bill having failed to receive the requisite constitutional majority was lost.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Messrs. Candler and Alexander—

A bill to require the State Librarian to furnish Georgia Reports to DeKalb county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 8.

The bill having received the requisite constitutional majority was passed.

Mr Wright of Richmond gave notice that at the proper time he would move to reconsider the action of the House in not passing the bill to codify the laws of Georgia.



By unanimous consent the following Senate bill was read the second time and recommitted, to wit:

By Mr. Wilkes of the 7th district—

A bill to amend an Act to create the city court of Moultrie.

By unanimous consent action on House bill 463 was postponed until to-morrow morning to follow special order already set.

By unanimous consent the session was extended for fifteen minutes with the privilege of a further extension if the House find it necessary.

By unanimous consent the following bills were read the third time, to wit:

By Mr. Maxwell of Twiggs—

A bill to provide for the marking out and reestablishment of county lines between certain counties.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 93, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Buchannon of Early—

A bill to amend an Act to establish the city court of Blakely

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion of Mr. Blackburn, House bill No. 123 was tabled.

By unanimous consent the following House bill was read the second time, to wit:

By Mr. Godley of Camden—

A bill to provide in advance of application for pension the proof of eligibility of possible applicants therefor for filing of said proof.

On motion of Mr. Duggan of Washington, House bill No. 860 was tabled.

The following bills were also read second time, to wit:

By Mr. Adams of Chatham—

A bill to authorize certain cities to establish a farm for persons convicted in police courts.

By Mr. Townsend—

A bill to amend section 982, volume 1 of the Code so as to make Homerville a State depository

The following business, which was displaced by the arrival of the hour of adjournment on yesterday, was taken up, to wit:

The following bills were read the first time, to wit:

By Mr. Johnson of Jeff Davis—

A bill to create a board of commissioners of roads and revenues for the county of Jeff Davis.

Referred to Committee on Corporations.

By Messrs. Matthews and Clarke—

A bill to amend an Act to amend an Act creating a board of commissioners of roads and revenues for Laurens county.

Referred to Counties and County Matters Committee.

By Mr. Hines—

A bill to amend Act to create a board of commissioners of roads and revenues for Baldwin county.

Referred to Counties and County Matters Committee.

By Mr. Fraser—

A resolution to furnish Georgia Reports to Liberty county

Referred to Committee on Library.

By Mr. Morris—

A bill to provide compensation for jurors in justice courts of Wayne county.

Referred to General Judiciary Committee.

By Mr. Morris—

A resolution to furnish Georgia Reports to Wayne county.

Referred to Committee on Library.

By Messrs. Slaton, Blackburn and Bell—

A bill to provide for the change of county lines lying in incorporated towns.

Referred to Committee on Special Judiciary.

By Mr. Covington—

A resolution to pay Mack Tiget \$71.50.

Referred to Committee on Appropriations.

By Mr. Smith of Campbell—

A resolution to make House bill No. 939 a special order

Referred to Committee on Rules.

By Mr. Thurman of Walker—

A resolution providing for three sessions of the House a day so as to prevent an extra session.

Lay on the table one day

Mr. Heard, chairman of the Committee on Banks and Banking, submitted the following report:

*Mr. Speaker:*

Your Committee on Banks and Banking having had under considration House bill No. 1116 have instructed me as their chairman to report same back with the recommendation that it do pass.

HEARD, Chairman.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr Speaker:*

Your Committee on Corporations has had under consideration the following Senate and House bills, and direct me as their chairman to report same back with the following recommendations, to wit:

SENATE BILLS.

- 181. Do pass.
- 203. Do pass as amended.
- 214. Do pass.
- 218. Do pass.
- 232. Do pass as amended.

HOUSE BILLS.

- 981 Do pass.
- 1131. Do pass.

Respectfully submitted,

H. G. NOWELL, Chairman.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr Speaker:*

Your Committee on Corporations have had under consideration the following bill of the House and direct me

as their chairman to report same back with recommendation that same do pass.

An Act to amend an Act to incorporate the town of Bowersville, in the county of Hart.

Respectfully submitted,

H. G. NOWELL, Chairman.

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr Speaker:*

Your Committee on Counties and County Matters has had under consideration House bill 1128 and Senate bills Nos. 217 and 229, and instruct me as their chairman to report back to the House with recommendation that the same do pass.

R. E. DAVISON, Acting Chairman.

*Mr Speaker:*

Your Committee on Counties and County Matters has had under consideration the following Senate bills, and as its chairman I am instructed to report the same back to the House as follows, to wit:

Senate bill No. 220, do pass.

Senate bill No. 221, do pass.

ERLE M. DONALSON, Chairman.

The following House bills were read the second time:

By Mr. Davison—

A bill to amend an Act to create the office of commissioner of roads and revenues for the county of Greene.

By Mr. Huie—

A bill to incorporate the town of Forest Park.

By Mr. McMullan—

A bill to amend an Act to incorporate the town of Bowersville.

By Mr. Parker of Talbot—

A bill to amend an Act to incorporate the town of Junction City.

By Messrs. Wright, Dean and Chamlee of Floyd—

A bill to authorize the city of Rome to maintain a hospital.

The above bill was recommitted.

By unanimous consent all pension resolutions were set as special orders for to-morrow afternoon at 3 o'clock.

The following Senate bills were read the second time, to wit:

By Mr. Dobbs of 35th district—

A bill to amend an Act to create a new charter for Marietta.

By Mr. Hayes of 13th district—

A bill to provide for the maintenance and repair of the bridge across Flint river, known as Upper or Montezuma bridge.

By Mr. Hawes of 30th district—

A bill to amend the charter of the city of Athens.

By Mr. Henderson of 15th district—

A bill to create a board of commissioners of roads and revenues for Irwin county.

By Mr. Henderson of 15th district—

A bill to abolish the office of commissioner of roads and revenues for Irwin county.

By Mr. Mattox of 4th district—

A bill to amend the charter of the city of St. Marys.

By Mr. Brantley of 16th district—

A bill to amend an Act to create a new charter for the city of Dublin.

The following Senate bills were read the second time and recommitted, to wit:

By Mr. Dobbs of 35th district—

A bill to repeal an Act to incorporate the town of Battle Hill.

By Mr. Dobbs of 35th district—

A bill to repeal an Act to incorporate the town of Edgewood.



By Mr. Dobbs of 35th district—

A bill to amend an Act to create a new charter for the city of Atlanta.

The order of business having been exhausted, the Speaker announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Friday, August 7, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

Mr. Wright of Floyd moved that the roll call be dispensed with, and no quorum having voted the Speaker ordered the same called for the purpose of ascertaining if a quorum be present. Those answering to their names were as follows

Adams of Chatham,	Atwater,	Boyd,
Adams of Elbert,	Austin,	Brown of Carroll,
Adams of Wilkinson,	Ballard,	Brown of Oglethorpe.
Adkins,	Barksdale,	Buchannon,
Alexander,	Barrett,	Burkhalter,
Allen,	Barrow,	Burwell,
Anderson of Bulloch,	Bell,	Butt,
Anderson of Cobb,	Berry,	Calbeck,
Arnold,	Blackburn,	Callaway,
Ashley,	Bond,	Candler,
Atkinson,	Bowen,	Cannon,

Chamlee,	Hardeman,	Parker,
Clark,	Harris,	Parrish,
Clifton,	Haywood,	Payton,
Collum,	Heard,	Perry,
Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbley,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell,
Dickey,	Jones of Mitchell,	Ryals,
Donalson,	Keith,	Shaw,
Dorminy,	Kendall,	Sheffield,
Dunbar,	Kendrick,	Simmons,
Duggan,	Lee,	Slade,
Dykes,	Lively,	Slater,
Eaves,	Lumsden,	Smith of Calhoun,
Edmondson,	Lunsford,	Smith of Campbell,
Edwards,	Matthews,	Stephens,
Ellison,	MacFarland,	Stewart,
Estes,	McCarthy,	Strickland,
Fagan,	McIntyre,	Stubbs,
Flanders,	McMahan,	Sumner,
Flannigan,	McMichael,	Swilling,
Foster,	McMullan,	Taylor of Appling,
Fowler,	McWilliams,	Taylor of Sumter,
Fraser,	Martin,	Terrell,
Frier,	Massengale,	Thorne,
Fullbright,	Maxwell,	Thurman,
Furr,	Mays,	Tift,
Geer,	Mercer,	Townsend,
Gibson,	Moore,	Tracy,
Glenn,	Morris,	Trent,
Godley,	Mundy,	Tuggle,
Goode,	Nix,	Tyson,
Guyton,	Nowell,	Walker of Lowndes,
Hall,	Odum,	Walker of Milton,
Hamilton,	Orr,	Walker of Wash'ton,

Ward,	Whitley,	Wright of Floyd,
Warnell,	Williams,	Wright of Richmond,
Watkins,	Wilson,	Wynne,
White of Madison,	Wise,	Young,
White of Screven,	Wootten,	Mr. Speaker.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. McMullan—

A bill to amend an Act to incorporate the town of Bowersville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Nix, Heard and Adkins—

A bill to amend an Act entitled an Act to increase the membership of the Prison Commission, etc.

The following amendment was adopted, to wit:

By the Committee—

To amend by striking from the bill and caption wherever they occur the words "having a population of one thousand, nor more than four thousand."

The report of the committee, which was favorable to the passage of the bill as amended was agreed to.

On the passage of the bill the ayes were 95, nays 5.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Ward of Coffee—

A bill to amend an Act entitled an Act to establish the city court of Douglas.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent the following Senate bill was read the third time and put upon its passage, to wit:

By Mr. Cowart of 9th district—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Calhoun.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by substitute by the requisite constitutional majority the following bill of the House, to wit:

A bill to create a board of county commissioners for the county of Turner.

The Senate has passed as amended by the requisite constitutional majority the following bills of the House, to wit:

A bill to establish the city court of Barnesville, Pike county.

A bill to create a new charter for the town of Ellijay, in the county of Gilmer.

A bill to provide for an examination into the affairs of the dispensary in Blakely for the year 1906.

A bill to amend the charter of the city of Fitzgerald.

The Senate has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to repeal an Act to establish the city court of Barnesville.

A bill to establish the city court of St. Mary's, in and for the county of Camden.

A bill to amend an Act creating a board of commissioners of roads and revenues for the county of Dodge.

A bill to abolish the county court of Clinch county.

A bill to repeal an Act to establish the city court of Eastman, in and for the county of Dodge.

A bill to abolish the county court of Henry county.

A bill to amend the charter of the town of McDonough.

A bill to amend an Act creating the city court of Tifton.

A bill to amend an Act creating a board of commissioners of roads and revenues for Glynn county

A bill to amend an Act to authorize an issue of bonds by the county of Glynn.

A bill to amend an Act to establish the city court of Oglethorpe.

A bill to provide for appointment of two special bailiffs in counties of 60,000 population or more, by the superior court.

A bill to establish the city court of Franklin, in and for the county of Heard.

A bill to establish a local school system for the town of Bartow.

A bill to incorporate the town of Williamson, in the county of Pike.

A bill to amend the charter of the city of Brunswick.

A bill to incorporate the town of East Lake.

A bill to incorporate the Waco school district, in Haralson county.

A bill to create the office of county commissioner of roads and revenues for Hart county.

A bill to amend an Act establishing the city court of Waynesboro.

A bill to incorporate the town of Cedar Grove, in the county of Laurens.

A bill to amend the charter of Kirkwood, in the county of DeKalb.

A bill to establish a public school system for the city of Wrightsville.

A bill to amend the county court Act so far as the same applies to Pulaski county.

A bill to change the time of holding the superior court of Glascock county.

A bill to incorporate the town of Primrose, in the county of Meriwether.

A bill to prohibit the sale of Bud beer or near beer in Campbell county.

A bill to abolish the board of commissioners of roads and revenues for the county of Hart.

A bill to amend the charter of the city of Gainesville.

A bill to change the corporate limits of the town of Adel.

A bill to amend the charter of the town of Cusseta, in the county of Chattahoochee.

A bill to establish a public school system for the town of Spread.

A bill to create a county police force for the county of Chatham.

A bill to amend the charter of the town of Douglasville.

A bill to incorporate the town of Rockledge, in the county of Laurens.

A bill to amend an Act creating a board of commissioners of roads and revenues for Sumter county.

On motion of Mr. Candler, the following appropriation bills which were fixed as special continuing orders were read the third time and put upon their passage:

The following special order which was up for consideration when the regular hour of adjournment arrived yesterday was again taken up, to wit:

By Mr. McMahan of Clarke—

A bill to appropriate \$7,000 to the trustees of the University for use of the State Normal School at Athens.

On motion of Mr. Candler, the Speaker again resolved the House into a committee of the whole and Mr. Foster of Cobb took the chair.

After a further consideration of the bill the committee arose, and through their chairman reported the same back to the House with the recommendation that it do pass.

The report of the committee was agreed to.



On the passage of the bill the ayes and nays were called and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Dean,	Mays,
Adams of Elbert,	Dickey,	Moore.
Adams of Wilkinson,	Donalson,	Nix,
Adkins,	Dunbar,	Nowell,
Alexander,	Duggan,	Orr,
Allen,	Dykes,	Parrish,
Anderson of Cobb,	Eaves,	Perry,
Arnold,	Edmondson,	Peterson,
Atkinson,	Edwards,	Pope of Dade,
Austin,	Estes,	Price of Oconee,
Ballard,	Flannigan,	Reid of Macon,
Barksdale,	Foster,	Reid of Wilcox,
Barrett,	Fraser,	Rountree,
Barrow,	Frier,	Russell,
Berry,	Fullbright,	Ryals,
Blackburn,	Gibson,	Slade,
Bond,	Guyton,	Slater,
Bowen,	Harris,	Smith of Campbell,
Boyd,	Haywood,	Stephens,
Brown of Carroll,	Hill,	Stewart,
Brown of Oglethorpe,	Hines,	Stubbs,
Burkhalter,	Holder,	Swilling,
Butt,	Hubbard,	Taylor of Sumter,
Callaway,	Huff,	Terrell,
Candler,	Hullender,	Thorne,
Cannon,	Johnson of Towns,	Tift,
Chamlee,	Jones of Meriwether,	Tracy,
Clark,	Jones of Mitchell,	Tuggle,
Clifton,	Keith,	Walker of Lowndes,
Collum,	Lumsden,	Walker of Milton,
Cook of Chat'hoochee,	Matthews,	Walker of Wash'ton,
Cook of Telfair,	MacFarland,	Ward,
Cooke of Thomas,	McCarthy,	Watkins,
Covington,	McMahan,	White of Madison,
Couch,	McMichael,	Whitley,
Crawford,	McMullan,	Wilson,
Crumbley,	McWilliams,	Wright of Floyd,
Culbreth,	Martin,	Wright of Richmond,
Daniel,	Massengale,	Young,
Davison,	Maxwell,	

Those voting in the negative were Messrs.—

Calbeck,	Jackson,	Persons,
Cowan,	Johnson of Jeff Davis,	Rogers,
Glenn,	Kendall,	Trent,
Hall,	Kendrick,	White of Screven,
Howard,	Payton,	Wynne,

Those not voting were Messrs.—

Anderson of Bulloch,	Hardeman,	Reid of Putnam,
Ashley,	Heard,	Shaw,
Atwater,	Huie,	Sheffield,
Bell,	Johnson of Jasper,	Simmons,
Buchannon,	Lee,	Smith of Calhoun,
Burwell,	Lively,	Strickland,
Davis,	Lunsford,	Sumner,
Dorminy,	McIntyre,	Taylor of Appling,
Ellison,	Mercer,	Thurman,
Fagan,	Morris,	Townsend,
Flanders,	Mundy,	Tyson,
Fowler,	Odum,	Warnell,
Furr,	Parker,	Williams,
Geer,	Pope of Brooks,	Wise,
Godley,	Powell,	Wootten,
Goode,	Price of Bartow,	Mr. Speaker.
Hamilton,		

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 119, nays 15.

The bill having received the requisite constitutional majority was passed.

By Mr. Hines of Baldwin—

A bill to appropriate \$12,671.76 for the purpose of erecting an infirmary for the Georgia Normal and Industrial College.

The committee proposed to amend by striking from the title the figures "\$12,671.76" and insert "\$7,671.76."

To amend by striking the provision for an infirmary from the caption and section 1 of the bill.

To amend by striking figures "\$12,671.76" and insert "\$7,671.76."

The Speaker resolved the House into a committee of the whole and designated as chairman Mr. Russell of Muscogee.

After a consideration of the bill the committee arose and reported the same back to the House with the recommendation that it do pass as amended.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Burwell,	Flanders,
Adams of Elbert,	Butt,	Flannigan,
Adams of Wilkinson,	Callaway,	Foster,
Adkins,	Candler,	Fowler,
Anderson of Bulloch,	Chamlee,	Fraser,
Anderson of Cobb,	Clark,	Frier,
Arnold,	Clifton,	Fullbright,
Atkinson,	Collum,	Gibson,
Austin,	Cook of Chat'hoochee,	Glenn,
Barksdale,	Cooke of Thomas	Godley,
Barrett,	Couch,	Guyton,
Barrow,	Crawford,	Hamilton,
Berry,	Culbreth,	Harris,
Blackburn,	Dickey,	Haywood,
Bond,	Dunbar,	Hill,
Bowen,	Duggan,	Hines,
Boyd,	Dykes,	Holder,
Brown of Carroll,	Edwards,	Hubbard,
Brown of Oglethorpe,	Ellison,	Huff,
Burkhalter,	Estes,	Hullender,

Jackson,	Nix,	Smith of Campbell,
Johnson of Towns,	Nowell,	Stewart,
Jones of Meriwether.	Odum,	Sumner,
Jones of Mitchell,	Orr,	Taylor of Sumter,
Keith,	Persons,	Thorne,
Kendall,	Price of Brooks,	Tift,
Lumsden,	Pope of Dade,	Walker of Lowndes,
Lunsford,	Price of Oconee,	Walker of Milton,
Matthews,	Reid of Putnam,	Walker of Wash'ton,
MacFarland,	Reid of Wilcox,	Ward,
McCarthy,	Rogers,	Warnell,
McMahan,	Rountree,	Watkins,
McMichael,	Russell,	Whitley,
McMullan,	Ryals,	Williams,
Massengale,	Simmons,	Wilson,
Maxwell,	Slade,	Wootten,
Mays,	Slater,	Young,
Moore,		

Those voting in the negative were Messrs.—

Calbeck,	Howard,	Tyson,
Cowan,	Johnson of Jeff Davis,	White of Screven,
Goode,	Kendrick,	Wynne,
Hall,	Trent,	

Those not voting were Messrs.—

Alexander,	Geer,	Reid of Macon,
Allen,	Hardeman,	Shaw,
Ashley,	Heard,	Sheffield,
Atwater,	Huie,	Smith of Calhoun,
Ballard,	Johnson of Jasper,	Stephens,
Bell,	Lee,	Strickland,
Buchannon,	Lively,	Stubbs,
Cannon,	McIntyre,	Swilling,
Covington,	McWilliams,	Taylor of Appling,
Crumbley,	Martin,	Terrell,
Daniel,	Mercer,	Thurman,
Davis,	Morris,	Townsend,
Davison,	Mundy,	Tracy,
Dean,	Parker,	Tuggle,
Donalson,	Parrish,	White of Madison,
Dorminy,	Payton,	Wise,
Eaves,	Perry,	Wright of Floyd,
Edmondson,	Peterson,	Wright of Richmond,
Fagan,	Powell,	Mr. Speaker.
Furr,	Price of Bartow,	

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 113, nays 11.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Foster of Cobb—

A resolution to appropriate \$10,000 for the erection of a wall around Resaca cemetery.

An appropriation being involved the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Clifton of Toombs.

After consideration of the bill the committee arose, and through its chairman reported the same back with the recommendation that it do pass as amended.

The committee proposed to amend last paragraph by striking words "including the salary of a sexton"; also to amend by striking "\$10,000" and substituting "\$5,000."

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Anderson of Cobb,	Barrett,
Adams of Elbert,	Arnold,	Barrow,
Adams of Wilkinson,	Atkinson,	Blackburn,
Adkins,	Austin,	Bond,
Alexander,	Ballard,	Bowen,

Boyd,	Goode,	Pope of Brooks,
Brown of Carroll,	Guyton,	Pope of Dade,
Brown of Oglethorpe,	Hall,	Powell,
Buchannon,	Hamilton,	Price of Oconee,
Burkhalter,	Harris,	Reid of Macon,
Burwell,	Haywood,	Reid of Putnam,
Butt,	Heard,	Reid of Wilcox,
Calbeck,	Hill,	Rogers,
Callaway,	Hines,	Rountree,
Candler,	Holder,	Russell,
Cannon,	Howard,	Ryals,
Chamlee,	Hubbard,	Shaw,
Clark,	Huff,	Simmons
Clifton,	Huie,	Slade,
Collum,	Hullender,	Slater,
Cook of Chat'hoochee,	Johnson of Jeff Davis,	Smith of Campbell,
Cook of Telfair,	Johnson of Towns,	Stephens,
Cooke of Thomas,	Jones of Meriwether,	Stewart,
Couch,	Jones of Mitchell,	Strickland,
Crawford,	Keith,	Stubbs,
Crumbley,	Kendall,	Sumner,
Culbreth,	Kendrick,	Taylor of Sumter,
Daniel,	Lumsden,	Terrell,
Davison,	Lunsford,	Thorne,
Dickey,	Matthews,	Thurman,
Donalson,	MacFarland,	Tift,
Dunbar,	McCarthy,	Trent,
Duggan,	McIntyre,	Tuggle,
Dykes,	McMahan,	Tyson,
Eaves,	McMullan,	Walker of Lowndes,
Edmondson,	McWilliams,	Walker of Milton,
Edwards,	Martin,	Walker of Wash'ton,
Ellison,	Massengale,	Ward,
Estes,	Mays,	Warnell,
Flanders,	Moore,	Watkins,
Flannigan,	Morris,	White of Madison,
Foster,	Nix,	Whitley,
Fowler,	Nowell,	Williams,
Fraser,	Odum,	Wilson,
Frier,	Orr,	Wootten,
Fullbright,	Perry,	Wright of Richmond,
Gibson,	Persons,	Wynne,
Glenn,	Peterson,	Young,
Godley,		

Those voting in the negative were Messrs.—

Jackson,

Those not voting were Messrs.—

Allen,	Furr,	Payton,
Anderson of Bulloch,	Geer,	Price of Bartow,
Ashley,	Hardeman,	Sheffield,
Atwater,	Johnson of Jasper,	Smith of Calhoun,
Barksdale,	Lee,	Swilling,
Bell,	Lively,	Taylor of Appling,
Berry,	McMichael,	Townsend,
Covington,	Maxwell,	Tracy,
Cowan,	Mercer,	White of Screven,
Davis,	Mundy,	Wise,
Dean,	Parker,	Wright of Floyd,
Dorminy,	Parrish,	Mr. Speaker.
Fagan,		

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 145, nays 1.

The bill having received the requisite constitutional majority was passed as amended.

By unanimous consent House resolution No. 43 was taken from the table and placed on the calendar.

By Mr. Blackburn—

A resolution to appropriate \$5,000 to trustees of the Confederate Soldiers' Home.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Huff of Lumpkin.

After a consideration of the resolution the committee

arose and through their chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Duggan,	Lumsden,
Adams of Elbert,	Dykes,	Lunsford,
Adkins,	Eaves,	Matthews,
Alexander,	Edmondson,	MacFarland,
Anderson of Cobb,	Edwards,	McCarthy,
Atkinson,	Ellison,	McIntyre,
Austin,	Flannigan,	McMahan,
Ballard,	Foster,	McMullan,
Barrett,	Fraser,	McWilliams,
Barrow,	Frier,	Martin,
Blackburn,	Fullbright,	Mays,
Bond,	Gibson,	Moore,
Boyd,	Glenn,	Nowell,
Brown of Carroll,	Godley,	Odum,
Brown of Oglethorpe,	Goode,	Orr,
Burwell,	Guyton,	Peterson,
Calbeck,	Hall,	Pope of Brooks,
Callaway,	Harris,	Pope of Dade,
Candler,	Haywood,	Powell,
Chamlee,	Heard,	Price of Oconee,
Clark,	Holder,	Reid of Macon,
Clifton,	Hubbard,	Reid of Putnam,
Collum,	Huff,	Reid of Wilcox,
Cook of Chat'hoochee,	Huie,	Rogers,
Cook of Telfair,	Hullender,	Rountree,
Cooke of Thomas,	Johnson of Jeff Davis,	Russell,
Couch,	Johnson of Towns,	Ryals,
Crawford,	Jones of Meriwether,	Simmons,
Crumbley,	Jones of Mitchell,	Slade,
Culbreth,	Keith,	Slater,
Daniel,	Kendall,	Stephens,
Dickey,	Kendrick,	Stewart,
Dunbar,	Lee,	Strickland,



Stubbs,	Tyson,	White of Screven,
Sumner,	Walker of Lowndes,	Whitley,
Taylor of Sumter,	Walker of Milton,	Williams,
Terrell,	Walker of Wash'ton,	Wilson,
Thorne,	Ward,	Wright of Floyd,
Trent,	Watkins,	Wynne,
Tuggle,	White of Madison,	Young,

Those not voting were Messrs.—

Adams of Wilkinson,	Istes,	Parker,
Allen,	Fagan,	Parrish,
Anderson of Bulloch,	Flanders,	Payton,
Arnold,	Fowler,	Perry,
Ashley,	Furr,	Persons,
Atwater,	Geer,	Price of Bartow,
Barksdale,	Hamilton,	Shaw,
Bell,	Hardeman,	Sheffield,
Berry,	Hill,	Smith of Calhoun,
Bowen,	Hines,	Smith of Campbell,
Buchannon,	Howard,	Swilling,
Burkhalter,	Jackson,	Taylor of Appling,
Butt,	Johnson of Jasper,	Thurman,
Cannon,	Lively,	Tift,
Covington,	McMichael,	Townsend,
Cowan,	Massengale,	Tracy,
Davis,	Maxwell,	Warnell,
Davison,	Mercer,	Wise,
Dean,	Morris,	Wootten,
Donalson,	Mundy,	Wright of Richmond,
Dorminy,	Nix,	Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the resolution the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

The following resolution was read and adopted to wit:

By Mr. Dunbar of Richmond—

WHEREAS, there is now pending before the General Assembly no matter of such pressing and immediate importance as would justify the expense of calling said General Assembly together in extra session, with the exception of the disposition of the convicts of the State; and

WHEREAS, this House has already so far as at this time is in its power made disposition of the aforesaid matter, as embodied in what is commonly known as the "Holder bill," as passed by this House; now, therefore, be it

*Resolved*, by the House of Representatives, That the Senate be respectfully requested to take up within the remaining days of the present regular session said "Holder bill," and finally act on the same as in its judgment may seem fit, either by adopting and passing the same or by amending the same and returning it to this House, so that this House may have an opportunity, if necessary, for final action upon said matter of the disposition of the convicts and may, if possible, avoid any necessity for an extra session of the General Assembly.

By Mr. Dunbar—

A resolution to make Sunday, August 9, dies non.

The above resolution was lost.

On motion of Mr. Foster, all of the appropriation bills passed this morning were ordered immediately transmitted to the Senate.

Mr. Hall, vice-chairman of the Committee on Rules, submitted the following report:

*Mr Speaker:*

Your Committee on Rules have had under consideration House resolution by Mr. Wright of Richmond and under special instructions from the House direct me to report the same back with a recommendation that it be adopted.

They have also had under consideration a resolution by Mr. Wise of Fayette and under instructions from the House report the same back with a recommendation that it be adopted as amended by the committee. The amendment of the committee is as follows:

That House bill 1108 be made the special order on Thursday, August 6th, immediately after the reading of the Journal, and that debate be limited thereon to thirty minutes.

The committee direct me to report to the House the following resolution of the committee, to wit:

That for the remainder of the session no member be allowed to occupy the floor longer than ten minutes in the discussion of any question before the House.

They further instruct me to report the following resolution of the committee:

That the order of business adopted at the morning session of the House of this day be adopted as the order of business at the afternoon session until disposed of.

They further instruct me to report the following resolution:

That the rule of the House heretofore adopted in regard to the recognition of members for the purpose of unanimous requests be extended to the last half hour of each afternoon session.

JOSEPH H. HALL, Vice-chairman.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the resolution the ayes were 120, nays 0.

The resolution having received the requisite constitutional majority was passed.

The following resolution was read and adopted, to wit:

By Mr. Dunbar—

A resolution requesting the Senate to take action on the Holder convict bill and return same to the House for final action.

The following resolution was lost, to wit:

By Mr. Dunbar—

A resolution to make Sunday, August 9, dies non.

On motion of Mr. Foster, all the appropriation bills passed this morning were ordered immediately transmitted to the Senate.

The following resolution was read and adopted, to wit:

By Mr. Adams of Chatham—

A resolution providing that the House transact the regular order of business on Saturday, August 8.

The hour of 12 o'clock m. having arrived, the Senate appeared upon the floor of the House and the joint session convened for the purpose of reading the memorial

on the life, etc., of Hon. Jno. W. Akin, late President of the Senate, deceased, was called to order by Hon. Jas. J. Flynt, President of the Senate.

Prayer was offered by Rev. R. J. Bigham, after which the resolution was read providing for the joint session.

The following memorial on the life of Judge Akin was read by Mr. Overstreet of the 17th district:

*To the General Assembly of Georgia:*

In accordance with the terms of a joint resolution of your honorable bodies, adopted June 30, 1908, we have been appointed by proper authorities to prepare and present appropriate resolutions upon the death of Honorable John W. Akin, President of the Senate of Georgia, and now beg leave to submit the following:

President John W. Akin was born June 10, 1859, in Cass (now Bartow) county, Ga. His father, Hon. Warren Akin, was a prominent political factor in Georgia during those days immediately preceding the Civil War, and was canvassing the State as the last Whig candidate for Governor during the year President Akin was born. He (the father) was unanimously elected Speaker of the first House of Representatives assembled in Georgia after the secession of the State, and he continued to be prominent both in law and in politics until his death in 1877.

President Akin was no less fortunate in his other parent, his mother, who was Miss Mary Verdery, a woman of distinguished family, and great intellectual vigor. Up to the date of her death she continued to manifest the keenest interest in the career of her son, and went out of life with him.

President Akin graduated with honor from Emory col-

lege in 1877. During his college career he easily distinguished himself as a student, an essayist, and a debator.

He was admitted to the bar after a private course of study, in 1878, and steadily rose in the profession to a position among the ablest lawyers in the State.

He was from the days of his youth a member of the Methodist church. For many years he was superintendent of the Sunday-school of his church at Cartersville, and throughout his life he worked humbly before the Lord, demonstrating to his fellow men that the law of his life was the teachings of the "lowly Nazarene."

The home is the unit of our civilization. Here character is formed and supported. Fortunate, therefore, is the man whose home relations are happy, and who is capable of contributing to such happiness. Judge Akin was such a man preeminently, and no citizen of Georgia held his home and family in higher appreciation.

Among the offices President Akin held are secretary of the Georgia Bar Association, president of the Georgia Bar Association, president of the Cartersville public school board, judge of the city court of Cartersville, twice representative of Bartow county in the General Assembly of Georgia, and President of the Senate. In this last position death found him on the 18th day of October, 1907. As a legislator we knew him best, and it is here that his loss will be most keenly felt by the citizens of Georgia.

As a presiding officer, he was gentle and wise, manifesting always in his rulings the utmost graciousness and ease.

Upon contemplating his life activities as a whole, we may paraphrase the language of Johnson's epitaph of Dr. Goldsmith, and say, "He laid busy hands to many

things during his life, and he nothing touched that he did not adorn."

In law and politics his skill and power as an essayist were used frequently to his own credit and the benefit of the State.

Born and nurtured in the earthquake shakings of revolution and war, and carrying through life the impressions placed upon his infant mind by Sherman's conquering army, his devotion to Georgia and the South assumed the character and proportions of a splendid passion, and his facile pen and eloquent tongue were ever ready in defense of his suffering country.

President Akin was reared in a great community, filled with the first minds of his or any other time. With such environment, such parentage, and such experiences his mind naturally ran to public service. He recognized the age-long conflict between "privilege" and popular rights; and democracy never had a bolder nor stouter champion. His far-seeing mind contemplated this conflict as inevitable and mortal, and in the evolutions of modern politics he saw the skirmishings of the nation-wide struggle. A disciple of Rousseau and Jefferson, he "scented the battle from afar, the thunder of the captains and the shoutings" and he had a commendable ambition to participate in the effort to secure the blessings of free government for his children and his neighbors' children forever. But "in the plentitude of his power, and on the field of his renown" he was stricken one day by an arrow coming down out of the invisible world, reminding us of the transitory nature of all earthly things, and making us to exclaim, "What shadows we are and what shadows we pursue."

We append the following resolutions:

*Resolved* 1. That in the death of Honorable John W.

Akin, law, letters and statesmanship have lost an ornament and champion.

*Resolved 2.* That his surviving associates in the General Assembly of Georgia will ever treasure in affectionate remembrance his kindly virtues, and will ever point with just pride to the record of his achievements for Georgia.

*Resolved 3.* That we offer our profound sympathy to the family and kindred of our deceased fellow-worker in the loss to them occasioned by his death.

*Resolved 4.* That minutes of this joint session, together with their memorial and these resolutions, be recorded on the Journals of the Senate and House.

*Resolved 5.* That each branch of the General Assembly do stand adjourned at the conclusion of the joint session of the same as a further mark of honor to the deceased.

Mr. Steed of the 37th district moved that the resolution be adopted, which was seconded by Mr. Hall of Bibb, Senator Martin, Messrs. Alexander, Candler, Covington, Slaton, Senator Camp and others.

The resolution was then unanimously adopted by a rising vote.

The joint session was then dissolved and the Senate retiring the House was called to order by the Speaker.

The Speaker then announced the House adjourned until 3 o'clock this afternoon.

3 O'clock P.M.

The House reconvened at this hour and was called to order by the Speaker.



The roll was called and the following members answered to their names:

Adams of Clatham,	<b>Cowan,</b>	Holder,
Adams of Elbert,	<b>Crawford,</b>	Howard,
Adams of Wilkinson	Crumbley,	Hubbard,
Adkins,	Culbreth,	Huff,
Alexander,	Daniel,	Huie,
Allen,	Davis,	Hullender,
Anderson of Bulloch,	Davison,	Jackson,
Anderson of Cobb,	Dean,	Johnson of Jasper,
Arnold,	Dickey,	Johnson of Jeff Davis,
Ashley,	Donalson,	Johnson of Towns,
Atkinson,	Dorminy,	Jones of Meriwether
Atwater,	Dunbar,	Jones of Mitchell,
Austin,	Duggan,	Keith,
Ballard,	Dykes,	Kendall,
Barksdale,	Eaves,	Kendrick,
Barrett,	Edmondson,	Lee,
Barrow,	Edwards,	Lively,
Bell,	Ellison,	Lumsden,
Berry,	Estes,	Lunsford,
Blackburn,	Fagan,	Matthews,
Bond,	Flanders,	MacFarland,
Bowen,	Flannigan,	McCarthy,
Boyd,	Foster,	McIntyre,
Brown of Carroll,	Fowler,	McMahan,
Brown of Oglethorpe,	Fraser,	McMichael,
Buchannon,	Frier,	McMullan,
Burkhalter,	Fullbright,	McWilliams,
Burwell,	Furr,	Martin,
Butt,	Geer,	Massengale,
Calbeck,	Gibson,	Maxwell,
Callaway,	Glenn,	Mays,
Candler,	Godley,	Mercer,
Cannon,	Goode,	Moore,
Chamlee,	Guyton,	Morris,
Clark,	Hall,	Mundy,
Clifton,	Hamilton,	Nix,
Collum,	Hardeman,	Nowell,
Cook of Chat'hoochee,	Harris,	Odum,
Cook of Telfair,	Haywood,	Orr,
Cooke of Thomas,	Heard,	Parker,
Covington,	Hill,	Parrish,
Couch,	Hines,	Payton,

Perry,	Slater,	Tyson,
Persons,	Smith of Calhoun,	Walker of Lowndes,
Peterson,	Smith of Campbell,	Walker of Milton,
Pope of Brooks,	Stephens,	Walker of Wash'ton,
Pope of Dade,	Stewart,	Ward,
Powell,	Strickland,	Warnell,
Price of Bartow,	Stubbs,	Watkins,
Price of Oconee,	Sumner,	White of Madison,
Reid of Macon,	Swilling,	White of Screven,
Reid of Putnam,	Taylor of Appling,	Whitley,
Reid of Wilcox,	Taylor of Sumter,	Williams,
Rogers,	Terrell,	Wilson,
Rountree,	Thorne,	Wise,
Russell	Thurman,	Wootten,
Ryals,	Tift,	Wright of Floyd,
Shaw,	<b>Townsend,</b>	Wright of Richmond,
Sheffield,	Tracy,	Wynne,
Simmons,	Trent,	Young,
Slade,	Tuggle,	<b>Mr. Speaker.</b>

The following message was received from the Senate, through Mr. Northen, the Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority, the following Senate bill, to wit:

A bill to create a new charter for the town of Buckhead.

The Senate has passed, by the requisite constitutional majority, the following bill of the House, to wit:

A bill to amend section 4200, volume 2 of the Code of 1895.

On motion of Mr. Burwell, the House reconsidered its action in adopting the resolution providing for the regular order of business for tomorrow's session.

The following resolution was read and adopted, to wit:

By Mr. Adams of Chatham—

A resolution providing that all general business, just as on other legislative days, shall be the order of business for tomorrow's session.

The following resolution, offered by Mr. Foster, was read, to wit:

WHEREAS, In an editorial in the morning Constitution a most unjustifiable and unwarranted attack is made upon the author of the service pension bill and the other 138 members of the House who voted for its passage; and,

WHEREAS, Though said bill was among the first introduced at the last session of the Legislature, and was during said session reported favorably by the Committee on Constitutional Amendments, by which committee said bill was again reported favorably as amended; and,

WHEREAS, Said bill was reached in the early part of the present session and made a special order; and,

WHEREAS, Said bill when put upon its passage occupied the consideration of the House and was debated for more than two days and when put upon its passage received 113 votes out of the 137 members of the House present at said time; and,

WHEREAS, Said action of the House in defeating said bill was afterwards practically unanimously reconsidered; and,

WHEREAS, Said bill was again made a special order of this House and finally passed by a vote of 139 to 11; and,

WHEREAS, On the day of its passage by more than a three-fourths vote of this House said bill was immediately transmitted to the Senate; and,

WHEREAS, During all this time the *Constitution*, while reporting the status of this bill, never advanced any argument and not even one word either for or against the bill; and,

WHEREAS, After the passage of said bill, the *Constitution* was still silent as to its merits; and,

WHEREAS, Not until two days after its passage of said bill in the House did said paper even oppose said bill; and,

WHEREAS, Said attack was undoubtedly made for the purpose of defeating said bill in the Senate; therefore be it

*Resolved*, by the House of Representatives, The said editorial is a most unjustifiable attack upon the author of said bill and the other members of the House who voted for its passage; that said editorial which reflects upon the good faith, integrity and honor of the author and supporters of the bill, is wholly unwarranted and untrue.

*Resolved further*, That the lack of information on the part of the writer of said editorial as to the results that would follow the adoption of said proposed amendment to the Constitution, unless he recklessly mistakes facts, is so apparent to the members of this House, who gave this bill due consideration and debate for nearly one whole day on its passage in addition to the two days consideration and debate previously given to it as to merit, no reply to said statement as to the result of the final adoption of said proposed amendment.

*Resolved further*, That we are unable to account for the sudden alarm of the *Constitution* over the passage of this bill, especially as it now, two days after its passage, speaks for the first time, though the bill has been debated before the House and occupied more of its consideration than any other measure during the present session, save the convict bill, and while we resent the egotistical assumption of the *Constitution* to dictate to the General Assembly, we wonder why, if this bill is so bad, that the *Constitution* didn't say so before we passed it.

*Resolved further*, That the attention of the *Constitution* is called to the fact that said bill simply proposes an amendment to the Constitution of this State and can not become a law until ratified at the ballot box by the votes of the people.

On motion of Mr. Bell of Fulton, the above resolution was indefinitely postponed.

The following pension resolutions, which were made the special order for this afternoon, were read the third time and put upon their passage, to wit:

By Mr. Adams of Wilkinson—

A resolution to put the name of Mrs. Lucy Lockhart on the pension rolls.

The Speaker resolved the House into a committee of the whole and designated as chairman Mr. Daniel of Jenkins.

After considering the resolution the committee arose and reported the resolution back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Edwards,	Nix,
Adams of Elbert,	Estes,	Nowell,
Adkins,	Flanders,	Orr,
Alexander,	Foster,	Parrish,
Anderson of Cobb,	Fowler,	Payton,
Arnold,	Fraser,	Persons,
Atkinson,	Fullbright,	Pope of Brooks,
Austin,	Gibson,	Pope of Dade,
Ballard,	Glenn,	Price of Bartow,
Barrett,	Godley,	Reid of Macon,
Barrow,	Goode,	Reid of Putnam,
Bell,	Guyton,	Reid of Wilcox,
Berry,	Hamilton,	Rogers,
Blackburn,	Haywood,	Ryals,
Bond,	Heard,	Simmons,
Bowen,	Holder,	Slade,
Boyd,	Hubbard,	Slater,
Brown of Carroll,	Huff,	Smith of Campbell,
Brown of Oglethorpe,	Huie,	Stephens,
Buchannon,	Jackson,	Stewart,
Burkhalter,	Johnson of Towns,	Sumner,
Calbeck,	Jones of Meriwether	Swilling,
Callaway,	Jones of Mitchell,	Taylor of Sumter,
Candler,	Kendall,	Terrell,
Cannon,	Kendrick,	Thorne,
Chamlee,	Lumsden,	Tift,
Clifton,	Matthews,	Townsend,
Cook of Telfair,	McCarthy,	Tracy,
Cooke of Thomas,	McIntyre,	Trent,
Couch,	McMahan,	Tuggle,
Crumbley,	McMullan,	Tyson,
Culbreth,	McWilliams,	Warnell,
Daniel,	Martin,	Watkins,
Dean,	Massengale,	White of Madison,
Dunbar,	Maxwell,	Whitley,
Duggan,	Mays,	Williams,
Eaves,	Moore,	Wilson,
Edmondson,		

Those not voting were Messrs.—

Adams of Wilkinson,	Furr,	Powell,
Allen,	Geer,	Price of Oconee,
Anderson of Bulloch,	Hall,	Rountree,
Ashley,	Hardeman	Russell,
Atwater,	Harris,	Shaw,
Barksdale,	Hill,	Sheffield,
Burwell,	Hines,	Smith of Calhoun,
Butt,	Howard,	Strickland,
Clark,	Hullender,	Stubbs,
Collum,	Johnson of Jasper,	Taylor of Appling,
Cook of Chat'hoochee,	Johnson of Jeff Davis,	Thurman,
Covington,	Keith,	Walker of Lowndes,
Cowan,	Lee,	Walker of Milton,
Crawford,	Lively,	Walker of Wash'ton,
Davis,	Lunsford,	Ward,
Davison,	MacFarland,	White of Screven,
Dickey,	McMichael,	Wise,
Donaldson,	Mercer,	Wootten,
Dorminy,	Morris,	Wright of Floyd,
Dykes,	Mundy,	Wright of Richmond,
Ellison,	Odum,	Wynne,
Fagan,	Parker,	Young,
Flannigan,	Perry,	Mr. Speaker.
Frier,	Peterson,	

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 112, nays 0.

The resolution having received the requisite constitutional majority was passed.

Leave of absence was granted the members of the committee to investigate the Prison Commission etc. on motion of Mr. Candler.

By Mr. Trent of Heard—

A resolution to pay pension due Mrs. Sarah Currans.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Kendrick of Taliaferro.

After a consideration of the resolution the committee arose and through their chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Covington,	Huie,
Adams of Elbert,	Couch,	Hullender,
Adams of Wilkinson,	Crawford,	Johnson of Towns,
Adkins,	Daniel,	Jones of Meriwether
Anderson of Bulloch,	Davison,	Jones of Mitchell,
Anderson of Cobb,	Dunbar,	Kendall,
Atkinson,	Duggan,	Kendrick,
Austin,	Edmondson,	Lumsden,
Ballard,	Edwards,	Matthews,
Barrett,	Ellison,	McCarthy,
Barrow,	Estes,	McIntyre,
Bell,	Flanders,	McMahan,
Berry,	Foster,	Martin,
Blackburn,	Fowler,	Massengale,
Bond,	Fraser,	Maxwell,
Bowen,	Fullbright,	Moore,
Brown of Carroll,	Gibson,	Nix,
Brown of Oglethorpe,	Glenn,	Nowell,
Buchannon,	Godley,	Orr,
Burkhalter,	Goode,	Parker,
Butt,	Guyton,	Payton,
Calbeck,	Hall,	Pope of Brooks,
Cannon,	Haywood,	Pope of Dade,
Chamlee,	Heard,	Powell,
Clifton,	Holder,	Price of Bartow,
Cook of Telfair,	Hubbard,	Reid of Putnam,
Cooke of Thomas,	Huff,	Reid of Wilcox,



Rogers,	Taylor of Sumter,	Ward,
Ryals,	Thorne,	Warnell,
Simmons,	Townsend,	Watkins,
Slade,	Tracy,	White of Screven,
Smith of Campbell,	Trent,	Whitley,
Stewart,	Tyson,	Williams,
Sumner,	Walker of Lowndes,	Wilson,
Swilling,	Walker of Wash'ton,	Young,

Those not voting were Messrs.—

Alexander,	Furr,	Persons,
Allen,	Geer,	Peterson,
Arnold,	Hamilton,	Price of Oconee,
Ashley,	Hardeman,	Reid of Macon,
Atwater,	Harris,	Rountree,
Barksdale,	Hill,	Russell,
Boyd,	Hines,	Shaw,
Burwell,	Howard,	Sheffield,
Callaway,	Jackson,	Slater,
Candler,	Johnson of Jasper,	Smith of Calhoun,
Clark,	Johnson of Jeff Davis,	Stephens,
Collum,	Keith,	Strickland,
Cook of Chat'hoochee,	Lee,	Stubbs,
Cowan,	Lively,	Taylor of Appling,
Crumbley,	Lunsford,	Terrell,
Culbreth,	MacFarland,	Thurman,
Davis,	McMichael,	Tift,
Dean,	McMullan,	Tuggle,
Dickey,	McWilliams,	Walker of Milton,
Donalson,	Mays,	White of Madison,
Dorminy,	Mercer,	Wise,
Dykes,	Morris,	Wootten,
Eaves,	Mundy,	Wright of Floyd,
Fagan,	Odum,	Wright of Richmond,
Flannigan,	Parrish,	Wynne,
Frier,	Perry,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 105,  
**nays 0.**

The resolution having received the requisite constitutional majority was passed.

By Mr. Johnson of Jasper—

A resolution to pay the pension due Mrs. L. L. Hodge.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Johnson of Towns.

After a consideration of the resolution the committee arose and reported the resolution back to the House with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Butt,	Flanders,
Adams of Elbert,	Calbeck,	Flannigan,
Adkins,	Callaway,	Foster,
Alexander,	Cannon,	Fowler,
Anderson of Cobb,	Chamlee,	Fraser,
Atkinson,	Clifton,	Frier,
Austin,	Cook of Telfair,	Fullbright,
Ballard,	Cooke of Thomas,	Gibson,
Barrett,	Covington,	Glenn,
Barrow,	Couch,	Godley,
Bell,	Cowan,	Goode,
Berry,	Crawford,	Guyton,
Blackburn,	Crumbley,	Hamilton,
Bond,	Daniel,	Harris,
Bowen,	Davison,	Haywood,
Brown of Carroll,	Edmondson,	Heard,
Brown of Oglethorpe,	Edwards,	Hill,
Buchannon,	Ellison,	Holder,
Burkhalter,	Estes,	Hubbard,

Huff,	Mercer,	Slater,
Huie,	Moore,	Smith of Campbell,
Hullender,	Nix,	Stewart,
Johnson of Towns,	Orr,	Strickland,
Jones of Meriwether	Persons,	Sumner,
Jones of Mitchell,	Pope of Brooks,	Swilling,
Keith,	Pope of Dade,	Taylor of Sumter,
Kendall,	Powell,	Thorne,
Kendrick,	Price of Bartow,	Tracy,
Lee,	Reid of Macon,	Trent,
Lumsden,	Reid of Putnam,	Tyson,
Matthews,	Reid of Wilcox,	Walker of Lowndes,
McCarthy,	Rogers,	Walker of Wash'ton,
McMahan,	Rountree,	Ward,
McWilliams,	Sheffield,	Watkins,
Martin,	Simmons,	Williams,
Massengale,	Slade,	Young,
Maxwell,		

Those not voting were Messrs.—

Adams of Wilkinson,	Geer,	Russell,
Allen,	Hall,	Ryals,
Anderson of Bulloch,	Hardeman,	Shaw,
Arnold,	Hines,	Smith of Calhoun,
Ashley,	Howard,	Stephens,
Atwater,	Jackson,	Stubbs,
Barksdale,	Johnson of Jasper,	Taylor of Appling,
Boyd,	Johnson of Jeff Davis,	Terrell,
Burwell,	Lively,	Thurman,
Candler,	Lunsford,	Tift,
Clark,	MacFarland,	Townsend,
Collum,	McIntyre,	Tuggle,
Cook of Chat'hoochee,	McMichael,	Walker of Milton,
Culbreth,	McMullan,	Warnell,
Davis,	Mays,	White of Madison,
Dean,	Morris,	White of Screven,
Dickey,	Mundy,	Whitley,
Donalson,	Nowell,	Wilson,
Dorminy,	Odum,	Wise,
Dunbar,	Parker,	Wootten,
Duggan,	Parrish,	Wright of Floyd,
Dykes,	Payton,	Wright of Richmond,
Eaves,	Perry,	Wynne,
Fagan,	Peterson,	Mr. Speaker.
Furr,	Price of Oconee,	

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 109, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Ward of Coffee—

A resolution to pay pension due Jno. M. Surrency to his widow.

An appropriation being involved in the resolution, the Speaker resolved the House into a committee of the whole, and designated as chairman Mr. Flannigan.

After a consideration of the resolution the committee arose and reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Bell,	Cannon,
Adams of Elbert,	Berry,	Chamlee,
Adkins,	Blackburn,	Clifton,
Alexander,	Bond,	Cooke of Thomas,
Anderson of Cobb,	Brown of Carroll,	Covington,
Arnold,	Brown of Oglethorpe.	Couch,
Atkinson,	Buchannon,	Crumbley,
Ballard,	Butt,	Daniel,
Barrett,	Calbeck,	Davison,
Barrow,	Callaway,	Dean,

Donalson,	Keith,	Rountree,
Dorminy,	Kendall,	Simmons,
Dunbar,	Kendrick,	Slade,
Edmondson,	Lee,	Slater,
Edwards,	Lumsden,	Smith of Campbell,
Ellison,	Matthews,	Stephens,
Flanders,	McCarthy,	Strickland,
Flannigan,	McIntyre,	Sumner,
Fraser,	McMahan,	Taylor of Sumter,
Frier,	McWilliams,	Terrell,
Fullbright,	Moore,	Thorne,
Gibson,	Nix,	Tracy,
Glenn,	Orr,	Trent,
Godley,	Parker,	Tuggle,
Goode,	Parrish,	Tyson,
Guyton,	Perry,	Walker of Milton,
Hamilton,	Persons,	Walker of Wash'ton,
Haywood,	Pope of Brooks,	Ward,
Heard,	Pope of Dade,	Warnell,
Holder,	Powell,	Watkins,
Hubbard,	Reid of Macon,	White of Madison,
Huff,	Reid of Putnam,	Williams,
Hullender,	Reid of Wilcox,	Wynne,
Johnson of Towns,	Rogers,	Young,
Jones of Mitchell,		

Those not voting were Messrs.—

Adams of Wilkinson,	Crawford,	Hines,
Allen,	Culbreth,	Howard,
Anderson of Bulloch,	Davis,	Huie,
Ashley,	Dickey,	Jackson,
Atwater,	Duggan,	Johnson of Jasper,
Austin,	Dykes,	Johnson of Jeff Davis,
Barksdale,	Eaves,	Jones of Meriwether,
Bowen,	Estes,	Lively,
Boyd,	Fagan,	Lunsford,
Burkhalter,	Foster,	MacFarland,
Burwell,	Fowler,	McMichael,
Candler,	Furr,	McMullan,
Clark,	Geer,	Martin,
Collum,	Hall,	Massengale,
Cook of Chat'hoochee,	Hardeman,	Maxwell,
Cook of Telfair,	Harris,	Mays,
Cowan,	Hill,	Mercer,

Morris,	Shaw,	Walker of Lowndes,
Mundy,	Sheffield,	White of Screven,
Nowell,	Smith of Calhoun,	Whitley,
Odum,	Stewart,	Wilson,
Payton,	Stubbs,	Wise,
Peterson,	Swilling,	Wootten,
Price of Bartow,	Taylor of Appling,	Wright of Floyd,
Price of Oconee,	Thurman,	Wright of Richmond,
Russell,	Tift,	Mr. Speaker.
Ryals,	Townsend,	

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 103, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Barrett of Stephens—

A resolution to pay pension due F M. Rice.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Ballard of Newton.

After a consideration of the resolution the committee arose and reported the same back to the House with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Adams of Wilkinson,	Alexander,
Adams of Elbert,	Adkins,	Anderson of Cobb,

Atkinson,	Fowler,	Parrish,
Ballard,	Fraser,	Perry,
Barrett,	Frier,	Pope of Brooks,
Barrow,	Fullbright,	Pope of Dade,
Bell,	Geer,	Reid of Macon,
Berry,	Gibson,	Reid of Putnam,
Blackburn,	Glenn,	Reid of Wilcox,
Bond,	Godley,	Rogers,
Brown of Carroll,	Goode,	Russell,
Brown of Oglethorpe.	Guyton,	Ryals,
Buchannon,	Haywood,	Sheffield,
Burkhalter,	Hill,	Simmons,
Burwell,	Holder,	Slade,
Butt,	Hubbard,	Smith of Campbell,
Calbeck,	Huff,	Stephens,
Callaway,	Huie,	Stewart,
Cannon,	Hullender,	Strickland,
Chamlee,	Johnson of Towns,	Sumner,
Clark,	Jones of Meriwether,	Taylor of Sumter,
Clifton,	Keith,	Thorne,
Cook of Chat'hoochee,	Kendall,	Townsend,
Cooke of Thomas,	Kendrick,	Tracy,
Covington,	Lee,	Trent,
Couch,	Lunsford,	Tuggle,
Crawford,	Matthews,	Tyson,
Crumbley,	MacFarland,	Walker of Wash'ton,
Daniel,	McCarthy,	Ward,
Davison,	McMahan,	Warnell,
Dunbar,	McWilliams,	Watkins,
Edmondson,	Martin,	White of Madison,
Ellison,	Moore,	White of Screven,
Estes,	Nix,	Whitley,
Flanders,	Orr,	Williams,
Flannigan,	Parker,	Young,
Foster,		

Those not voting were Messrs.—

Allen,	Bowen,	Davis,
Anderson of Bulloch,	Boyd,	Dean,
Arnold,	Candler,	Dickey,
Ashley,	Collum,	Donalson,
Atwater,	Cook of Telfair,	Dorminy,
Austin,	Cowan,	Duggan,
Barksdale,	Culbreth,	Dykes,

Eaves,	McMichael,	Slater,
Edwards,	McMullan,	Smith of Calhoun,
Fagan,	Massengale,	Stubbs,
Furr,	Maxwell,	Swilling,
Hall,	Mays,	Taylor of Appling,
Hamilton,	Mercer,	Terrell,
Hardeman,	Morris,	Thurman,
Harris,	Mundy,	Tift,
Heard,	Nowell,	Walker of Lowndes,
Hines,	Odum,	Walker of Milton,
Howard,	Payton,	Wilson,
Jackson,	Persons,	Wise,
Johnson of Jasper,	Peterson,	Wootten,
Johnson of Jeff Davis,	Powell,	Wright of Floyd,
Jones of Mitchell,	Price of Bartow,	Wright of Richmond,
Lively,	Price of Oconee,	Wynne,
Lumsden,	Rountree,	Mr. Speaker.
McIntyre,	Shaw,	

By unanimous consent, the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 109, nays 0.

The resolution having received the requisite constitutional majority was passed.

On motion of Mr. Blackburn, the session was extended until 6 o'clock.

The hour of 4:30 o'clock p.m. having arrived, the pension resolutions were carried over as unfinished business.

By unanimous consent the following resolution was read the third time and put upon its passage, to wit:

By Mr. Trent of Heard—

A resolution to pay pension due Mrs. S. F. Crain for 1907.



An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Sheffield of Decatur.

After a consideration of the resolution the committee arose and through its chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Daniel,	Jones of Meriwether,
Adkins,	Dunbar,	Jones of Mitchell,
Alexander,	Edmondson,	Keith,
Anderson of Cobb,	Edwards,	Kendall,
Atkinson,	Ellison,	Kendrick,
Austin,	Estes,	Lunsford,
Ballard,	Flanders,	Matthews,
Barrett,	Flannigan,	MacFarland,
Bell,	Foster,	McCarthy,
Berry,	Fowler,	McMahan,
Blackburn,	Fraser,	McWilliams,
Bond,	Frier,	Martin,
Bowen,	Fullbright,	Massengale,
Brown of Carroll,	Geer,	Mercer,
Brown of Oglethorpe,	Gibson,	Moore,
Buchannon,	Glenn,	Nix,
Burkhalter,	Godley,	Orr,
Butt,	Goode,	Parker,
Calbeck,	Guyton,	Parrish,
Callaway,	Hill,	Persons,
Cannon,	Holder,	Pope of Brooks,
Chamlee,	Howard,	Pope of Dade,
Clifton,	Hubbard,	Reid of Macon,
Cooke of Thomas,	Huff,	Reid of Putnam,
Covington,	Huie,	Rountree,
Couch,	Hullender,	Russell,
Crawford,	Johnson of Towns,	Ryals,

Sheffield,	Thorne,	Walker of Wash'ton,
Simmons,	Townsend,	Ward,
Slade,	Tracy,	Warnell,
Smith of Calhoun,	Trent,	Watkins,
Smith of Campbell,	Tyson,	White of Screven,
Sumner,	Walker of Lowndes,	Williams,
Swilling,	Walker of Milton,	Young,
Taylor of Sumter,		

Those not voting were Messrs.—

Adams of Elbert,	Eaves,	Peterson,
Adams of Wilkinson,	Fagan,	Powell,
Allen,	Furr,	Price of Bartow,
Anderson of Bulloch,	Hall,	Price of Oconee,
Arnold,	Hamilton,	Reid of Wilcox,
Ashley,	Hardeman,	Rogers,
Atwater,	Harris,	Shaw,
Barksdale,	Haywood,	Slater,
Barrow,	Heard,	Stephens,
Boyd,	Hines,	Stewart,
Burwell,	Jackson,	Strickland,
Candler,	Johnson of Jasper,	Stubbs,
Clark,	Johnson of Jeff Davis,	Taylor of Appling,
Collum,	Lee,	Terrell,
Cook of Chat'hoochee,	Lively,	Thurman,
Cook of Telfair,	Lumsden,	Tift,
Cowan,	McIntyre,	Tuggle,
Crumbley,	McMichael,	White of Madison,
Culbreth,	McMullan,	Whitley,
Davis,	Maxwell,	Wilson,
Davison,	Mays,	Wise,
Dean,	Morris,	Wootten,
Dickey,	Mundy,	Wright of Floyd,
Donalson,	Nowell,	Wright of Richmond,
Dorminy,	Odum,	Wynne,
Duggan,	Payton,	Mr. Speaker.
Dykes,	Perry,	

By unanimous consent, the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 103, nays 0.

The resolution having received the requisite constitutional majority was passed.

By unanimous consent, the session was further extended for ten minutes purely for the consideration of local matters.

Mr. Tyson gave notice that at the proper time he would move to reconsider the action of the House in passing the above bill.

By unanimous consent the following bill was taken from the table, read the third time and put upon its passage, to wit:

By Messrs. Warnell, McFarland and Clifton—

A bill to detach and remove the counties of Tattnall and Toombs from the Middle judicial circuit and attach them to the Atlantic judicial circuit.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the Speaker ordered a call of the roll to ascertain if a quorum be present and the ayes and nays were as follows:

Those voting in the affirmative were Messrs. —

Adkins,	Bell,	Burkhalter,
Alexander,	Berry,	Burwell,
Anderson of Bulloch,	Blackburn,	Butt,
Anderson of Cobb,	Bond,	Calbeck,
Atkinson,	Bowen,	Cannon,
Austin,	Brown of Carroll,	Chamlee,
Ballard,	Brown of Oglethorpe.	Cook of Telfair,
Barrett,	Buchannon,	Cooke of Thomas,

Covington,	Howard,	Powell,
Couch,	Hubbard,	Reid of Wilcox,
Crawford,	Huff,	Rogers,
Crumbley,	Hullender,	Russell,
Davison,	Johnson of Towns,	Ryals,
Dean,	Jones of Meriwether,	Simmons,
Donalson,	Jones of Mitchell,	Slade,
Dunbar,	Keith,	Slater,
Edmondson,	Kendall,	Smith of Campbell,
Ellison,	Kendrick,	Stephens,
Estes,	Lumsden,	Sumner,
Flannigan,	Matthews,	Swilling,
Foster,	MacFarland,	Taylor of Sumter,
Fowler,	McCarthy,	Thorne,
Fraser,	McMahan,	Thurman,
Frier,	McWilliams,	Townsend,
Fullbright,	Martin,	Tracy,
Gibson,	Massengale,	Trent,
Glenn,	Moore,	Tuggle,
Godley,	Nix,	Walker of Lowndes,
Guyton,	Orr,	Walker of Milton,
Hall,	Parker,	Walker of Wash'ton,
Hamilton,	Parrish,	Warnell,
Heard,	Persons,	Watkins,
Hill,	Pope of Brooks,	Williams,
Holder,	Pope of Dade,	Young,

Those voting in the negative were Messrs.—

White of Screven,

Those not voting were Messrs.—

Adams of Chatham,	Clark,	Eaves,
Adams of Elbert,	Clifton,	Edwards,
Adams of Wilkinson,	Collum,	Fagan,
Allen,	Cook of Chat'hoochee,	Flanders,
Arnold,	Cowan,	Furr,
Ashley,	Culbreth,	Geer,
Atwater,	Daniel,	Goode,
Barksdale,	Davis,	Hardeman,
Barrow,	Dickey,	Harris,
Boyd,	Dorminy,	Haywood,
Callaway,	Duggan,	Hines,
Candler,	Dykes,	Huie,

Jackson,	Odum,	Taylor of Appling,
Johnson of Jasper,	Payton,	Terrell,
Johnson of Jeff Davis,	Perry,	Tift,
Lee,	Peterson,	Tyson,
Lively,	Price of Bartow,	Ward,
Lunsford,	Price of Oconee,	White of Madison,
McIntyre,	Reid of Macon,	Whitley,
McMichael,	Reid of Putnam,	Wilson,
McMullan,	Rountree,	Wise,
Maxwell,	Shaw,	Wootten,
Mays,	Sheffield,	Wright of Floyd,
Mercer,	Smith of Calhoun,	Wright of Richmond,
Morris,	Stewart,	Wynne,
Mundy,	Strickland,	Mr. Speaker.
Nowell,	Stubbs,	

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 102, nays 1.

The bill having received the requisite constitutional majority was passed.

The time having been consumed which was set aside for consideration of unanimous consents, the House again took up the special orders, which were the following pension resolutions, to wit

By Mr. Bond of Forsyth—

A resolution to pay the pension due W A. Stanford.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Williams of Dodge.

After a consideration of the resolution the committee arose and reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Flannigan,	Orr,
Adkins,	Foster,	Parrish,
Alexander,	Fowler,	Perry,
Atkinson,	Frier,	Persons,
Austin,	Fullbright,	Pope of Dade,
Ballard,	Gibson,	Powell,
Barrett,	Glenn,	Reid of Wilcox,
Barrow,	Godley,	Rogers,
Blackburn,	Goode,	Rountree,
Bond,	Guyton,	Russell,
Bowen,	Hamilton,	Simmons,
Brown of Carroll,	Heard,	Slade,
Brown of Oglethorpe,	Hill,	Slater,
Buchannon,	Holder,	Smith of Campbell,
Burkhalter,	Howard,	Strickland,
Butt,	Hubbard,	Sumner,
Calbeck,	Huff,	Swilling,
Cannon,	Huie,	Taylor of Sumter,
Chamlee,	Hullender,	Thorne,
Clark,	Jackson,	Townsend,
Clifton,	Johnson of Towns,	Tracy,
Cooke of Thomas,	Jones of Meriwether,	Trent,
Covington,	Jones of Mitchell,	Tuggle,
Couch,	Keith,	Walker of Lowndes,
Crawford,	Kendall,	Walker of Milton,
Daniel,	Kendrick,	Walker of Wash'ton,
Davison,	MacFarland,	Warnell,
Donalson,	McMahan,	Watkins,
Dunbar,	McWilliams,	White of Screven,
Edmondson,	Martin,	Williams,
Ellison,	Moore,	Young,
Estes,	Nix,	

Those not voting were Messrs.—

Adams of Elbert,	Anderson of Cobb,	Barksdale,
Adams of Wilkinson,	Arnold,	Bell,
Allen,	Ashley,	Berry,
Anderson of Bulloch,	Atwater,	Boyd,

Burwell,	Hines,	Price of Oconee,
Callaway,	Johnson of Jasper,	Reid of Macon,
Candler,	Johnson of Jeff Davis,	Reid of Putnam,
Collum,	Lee,	Ryals,
Cook of Chat'hoochee,	Lively,	Shaw,
Cook of Telfair,	Lumsden,	Sheffield,
Cowan,	Lunsford,	Smith of Calhoun,
Crumbley,	Matthews,	Stephens,
Culbreth,	McCarthy,	Stewart,
Davis,	McIntyre,	Stubbs,
Dean,	McMichael,	Taylor of Appling,
Dickey,	McMullan,	Terrell,
Dorminy,	Massengale,	Thurman,
Duggan,	Maxwell,	Tift,
Dykes,	Mays,	Tyson,
Eaves,	Mercer,	Ward,
Edwards,	Morris,	White of Madison,
Fagan,	Mundy,	Whitley,
Flanders,	Nowell,	Wilson,
Fraser,	Odum,	Wise,
Furr,	Parker,	Wootten,
Geer,	Payton,	Wright of Floyd,
Hall,	Peterson,	Wright of Richmond,
Hardeman,	Pope of Brooks,	Wynne,
Harris,	Price of Bartow,	Mr. Speaker.
Haywood,		

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 95, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Ballard of Newton—

A resolution to pay pension due Thos. H. Greer to his widow.

An appropriation being involved, the Speaker resolved

the House into a committee of the whole and designated as chairman Mr. Heard of Dooly.

After a consideration of the resolution the committee arose and through their chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Donalson,	Kendall,
Alexander,	Dunbar,	Kendrick,
Ashley,	Edmondson,	Lumsden,
Atkinson,	Ellison,	MacFarland,
Austin,	Estes,	McMahan,
Ballard,	Flannigan,	McWilliams,
Barrett,	Foster,	Martin,
Barrow,	Fowler,	Moore,
Berry,	Frier,	Nix,
Blackburn,	Fullbright,	Orr,
Bond,	Gibson,	Parker,
Brown of Carroll,	Glenn,	Parrish,
Brown of Oglethorpe.	Godley,	Perry,
Buchannon,	Goode,	Persons,
Burkhalter,	Guyton,	Pope of Brooks,
Burwell,	Hall,	Pope of Dade,
Butt,	Hamilton,	Powell,
Calbeck,	Heard,	Rogers,
Cannon,	Hill,	Rountree,
Chamlee,	Holder,	Russell,
Clark,	Howard,	Simmons,
Clifton,	Hubbard,	Slade,
Cooke of Thomas,	Huff,	Slater,
Covington,	Huie,	Smith of Campbell,
Couch,	Hullender,	Stephens,
Crumbley,	Johnson of Towns,	Stubbs,
Daniel,	Jones of Meriwether	Sumner,
Davison,	Jones of Mitchell,	Swilling,



Taylor of Sumter,	Tuggle,	Watkins,
Thorne,	Tyson,	White of Screven,
Townsend,	Walker of Milton,	Williams,
Tracy,	Walker of Wash'ton,	Young,
Trent,		

Those not voting were Messrs.—

Adams of Chatham,	Flanders,	Peterson,
Adams of Elbert,	Fraser,	Price of Bartow,
Adams of Wilkinson,	Furr,	Price of Oconee,
Allen,	Geer,	Reid of Macon,
Anderson of Bulloch,	Hardeman,	Reid of Putnam,
Anderson of Cobb,	Harris,	Reid of Wilcox,
Arnold,	Haywood,	Ryals,
Atwater,	Hines,	Shaw,
Barksdale,	Jackson,	Sheffield,
Bell,	Johnson of Jasper,	Smith of Calhoun,
Bowen,	Johnson of Jeff Davis,	Stewart,
Boyd,	Keith,	Strickland,
Callaway,	Lee,	Taylor of Appling,
Candler,	Lively,	Terrell,
Collum,	Lunsford,	Thurman,
Cook of Chat'hoochee,	Matthews,	Tift,
Cook of Telfair,	McCarthy,	Walker of Lowndes,
Cowan,	McIntyre,	Ward,
Crawford,	McMichael,	Warnell,
Culbreth,	McMullan,	White of Madison,
Davis,	Massengale,	Whitley,
Dean,	Maxwell,	Wilson,
Dickey,	Mays,	Wise,
Dorminy,	Mercer,	Wootten,
Duggan,	Morris,	Wright of Floyd,
Dykes,	Mundy,	Wright of Richmond,
Faves,	Nowell,	Wynne,
Edwards,	Odum,	Mr. Speaker.
Fagan,	Payton,	

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 97, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Calbeck of Gordon—

A resolution to pay a pension to Mrs. Mary McDougald.

The resolution involving an appropriation, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Pope of Brooks.

After a consideration of the resolution the committee arose and through their chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Cannon,	Frier,
Alexander,	Chamlee,	Fullbright,
Anderson of Bulloch,	Clark,	Gibson,
Anderson of Cobb,	Clifton,	Glenn,
Atkinson,	Cooke of Thomas,	Godley,
Austin,	Couch,	Goode,
Ballard,	Crawford,	Guyton,
Barrett,	Daniel,	Hamilton,
Barrow,	Davison,	Heard,
Blackburn,	Donalson,	Hill,
Bond,	Dunbar,	Holder,
Brown of Carroll,	Edmondson,	Howard,
Brown of Oglethorpe,	Ellison,	Hubbard,
Buchannon,	Estes,	Huff,
Burkhalter,	Flannigan,	Huie,
Butt,	Foster,	Hullender,
Calbeck,	Fowler,	Johnson of Towns,

Jones of Meriwether,	Perry,	Stubbs,
Jones of Mitchell,	Persons,	Sumner,
Kendall,	Pope of Brooks,	Swilling,
Kendrick,	Pope of Dade,	Taylor of Sumter,
Lumsden,	Powell,	Thorne,
MacFarland,	Reid of Wilcox,	Tracy,
McMahan,	Rogers,	Trent,
McWilliams,	Rountree,	Tuggle,
Martin,	Russell,	Tyson,
Moore,	Simmons,	Walker of Wash'ton,
Nix,	Slade,	Warnell,
Orr,	Slater,	Watkins,
Parker,	Smith of Campbell,	Young,
Parrish,	Stephens,	

Those not voting were Messrs.—

Adams of Chatham,	Dykes,	Mays,
Adams of Elbert,	Eaves,	Mercer,
Adams of Wilkinson,	Edwards,	Morris,
Allen,	Fagan,	Mundy,
Arnold,	Flanders,	Nowell,
Ashley,	Fraser,	Odum,
Atwater,	Furr,	Payton,
Barksdale,	Geer,	Peterson,
Bell,	Hall,	Price of Bartow,
Berry,	Hardeman,	Price of Oconee,
Bowen,	Harris,	Reid of Macon,
Boyd,	Haywood,	Reid of Putnam,
Burwell,	Hines,	Ryals,
Callaway,	Jackson,	Shaw,
Candler,	Johnson of Jasper,	Sheffield,
Collum,	Johnson of Jeff Davis,	Smith of Calhoun,
Cook of Chat'hoochee,	Keith,	Stewart,
Cook of Telfair,	Lee,	Strickland,
Covington,	Lively,	Taylor of Appling,
Cowan,	Lunsford,	Terrell,
Crumbley,	Matthews,	Thurman,
Culbreth,	McCarthy,	Tift,
Davis,	McIntyre,	Townsend,
Dean,	McMichael,	Walker of Lowndes,
Dickey,	McMullan,	Walker of Milton,
Dorminy,	Massengale,	Ward,
Duggan,	Maxwell,	White of Madison,

White of Screven,  
Whitley,  
Williams,  
Wilson,

Wise,  
Wootten,  
Wright of Floyd,

Wright of Richmond,  
Wynne,  
Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 92, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Taylor of Sumter—

A resolution to pay a pension to Miranda Johnson.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Young of Troup.

After a consideration of the resolution the committee arose and reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adkins,  
Alexander,  
Anderson of Bulloch,  
Anderson of Cobb,  
Atkinson,  
Austin,  
Ballard,

Barrett,  
Barrow,  
Berry,  
Blackburn,  
Bond,  
Brown of Carroll,  
Brown of Oglethorpe,

Buchannon,  
Burkhalter,  
Butt,  
Calbeck,  
Cannon,  
Chamlee,  
Clark,

Clifton,	Hamilton,	Pope of Dade,
Cook of Telfair,	Holder,	Reid of Wilcox,
Covington,	Howard,	Rogers,
Couch,	Hubbard,	Rountree,
Crawford,	Huff,	Russell,
Daniel,	Huie,	Simmons,
Davison,	Hullender,	Slade,
Dean,	Johnson of Towns,	Slater,
Donalson,	Jones of Meriwether,	Smith of Campbell,
Dunbar,	Jones of Mitchell,	Stubbs,
Edmondson,	Keith,	Sumner,
Ellison,	Kendall,	Swilling,
Estes,	Kendrick,	Taylor of Sumter,
Flannigan,	Lumsden,	Thorne,
Foster,	MacFarland,	Townsend,
Fowler,	McMahan,	Tracy,
Fraser,	McWilliams,	Trent,
Frier,	Martin,	Tuggle,
Fullbright,	Moore,	Tyson,
Furr,	Nix,	Walker of Wash'ton,
Gibson,	Orr,	Warnell,
Glenn,	Parker,	Watkins,
Godley,	Parrish,	White of Madison,
Goode,	Persons,	White of Screven,
Guyton,	Pope of Brooks,	Young,

Those not voting were Messrs.—

Adams of Chatham,	Cooke of Thomas,	Harris,
Adams of Elbert,	Cowan,	Haywood,
Adams of Wilkinson,	Crumbley,	Heard,
Allen,	Culbreth,	Hill,
Arnold,	Davis,	Hines,
Ashley,	Dickey,	Jackson,
Atwater,	Dorminy,	Johnson of Jasper,
Barksdale,	Duggan,	Johnson of Jeff Davis,
Bell,	Dykes,	Lee,
Bowen,	Eaves,	Lively,
Boyd,	Edwards,	Lunsford,
Burwell,	Fagan,	Matthews,
Callaway,	Flanders,	McCarthy,
Candler,	Geer,	McIntyre,
Collum,	Hall,	McMichael,
Cook of Chat'hoochee,	Hardeman,	McMullan,

Massengale,	Price of Oconee,	Tift,
Maxwell,	Reid of Macon,	Walker of Lowndes,
Mays,	Reid of Putnam,	Walker of Milton,
Mercer,	Ryals,	Ward,
Morris,	Shaw,	Whitley,
Mundy,	Sheffield,	Williams,
Nowell,	Smith of Calhoun,	Wilson,
Odum,	Stephens,	Wise,
Payton,	Stewart,	Wootten,
Perry,	Strickland,	Wright of Floyd,
Peterson,	Taylor of Appling,	Wright of Richmond,
Powell,	Terrell,	Wynne,
Price of Bartow,	Thurman,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 96, nays 0.

The resolution having received the requisite constitutional majority was passed.

The hour of 6 o'clock p.m. having arrived, the following business was taken up as provided for:

The following Senate bill was read the third time and put upon its passage, to wit:

By Mr. Mattox of 4th district—

A bill to amend the charter of the city of St. Mary's.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Wright of Richmond, chairman of the committee on General Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on General Judiciary having had under consideration the following bills of the Senate, instructed me as their chairman, to report same back to the House with the recommendation that same do pass, to wit:

A bill to change time of holding Tift superior court.

A bill to require all births of children to be reported to the ordinaries of the several counties.

A bill to provide for imposing penalties on common carriers subverting to their own use entrusted to them for transportation.

Also the following bill of the Senate with the recommendation that same do pass as amended, to wit:

A bill to amend section 671, Code 1895, relative to sale of mortgaged property.

Also, the following bill of the House with the recommendation that same do not pass, to wit:

A bill to prescribe and fix qualifications of locomotive engineers.

Also, the following bills of the Senate with the recommendation that same do not pass, to wit:

A bill to regulate the conduct of telegraph operators and train dispatchers.

A bill to prohibit county and court officers from turning over misdemeanor convicts to private chaingangs.

A bill to amend section 97, Code, 1895, relative to punishment of assault with intent to murder.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.

Mr. Blackburn, chairman of the Special Judiciary Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary having had under consideration the following bills, direct me as its vice-chairman to report the same back to the House with recommendations as follows, to wit:

Senate bill No. 224, the same being a bill to be entitled an Act to amend the charter of the city of Macon, and for other purposes, do pass.

Senate bill No. 238, the same being a bill to regulate the publication of all legal advertisements in all counties having a population according to the census of 1900, of not less than 20,400 and not more than 20,500, do pass.

House bill No. 1130, the same being a bill to be entitled an Act to amend an Act approved October 21, 1889, to provide for the creation of a board of commissioners of roads and revenues in the county of Telfair, and for other purposes, do pass.

House bill No. 1026, the same being a bill to be entitled an Act to amend an Act creating the city court of



Floyd county so as to create the office of solicitor for said court, do pass.

House bill No. 1125, the same being a bill to be entitled an Act to establish a system of public schools for the city of Sylvania, in the county of Screven; to provide for a board of education, to define their powers, and for other purposes, do pass.

House bill No. 686, the same being a bill to authorize the city of Rome to maintain a hospital, do pass.

All of which is respectfully submitted.

J R. WALKER, Vice-Chairman.

Mr. Jones of Meriwether, acting chairman of Committee on General Judiciary, submitted the following report:

*Mr Speaker:*

Your Committee on General Judiciary having had under consideration House bills Nos. 1042 and 796, instructs me as temporary chairman to report same back with recommendation that same do pass.

W R. JONES, Acting Chairman.

Mr. Fraser, chairman of Committee on Public Library, submitted the following report:

*Mr. Speaker:*

Your Committee on Public Library having had under consideration House resolution No. 317, instruct me as their chairman, to report the same back to the House with the recommendation that it do pass.

Also that House resolution No. 318 do pass.

Respectfully submitted.

DONALD FRASER, Chairman.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr Speaker:*

Your Committee on Corporations have had under consideration the following Senate and House bills and direct me, as their chairman, to report same back with the following recommendations, to wit:

Senate bills Nos. 178 and 236 do pass.

House bills Nos. 657, 1135 and 1013 do pass.

Respectfully submitted.

H. G. NOWELL, Chairman.

Mr. Donalson, chairman of Committee on Counties and County Matters, submitted the following report:

*Mr Speaker:*

Your Committee on Counties and County Matters has had under consideration House bill 1133, and as its chairman I am instructed to recommend that said bill do pass.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

August 7, 1908.

The following House bills were read the third time and put upon their passage, to wit:

By Mr. Davison of Greene—

A bill to amend an Act to create the office of com-

missioner of roads and revenues for the county of Greene.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Huie of Clayton—

A bill to incorporate the town of Morris Park.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 96, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Parker of Talbot—

A bill to amend an Act to incorporate the town of Junction City.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 95, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Dean, Wright and Chamlee—

A bill to authorize the city of Rome to maintain a hospital.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 94, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent, House bill No. 794, was re-committed.

The following bills were read the second time, to wit:  
By Mr. Pope of Brooks—

A bill to amend the charter of the town of Morven.  
By Messrs. Blackburn and Bell—

A bill to more clearly define the the name of the Technological School.

By Mr. Pope of Brooks—

A bill to incorporate the town of Dixie.

By Mr. White of Screven—

A bill to create a system of public schools in city of Sylvania.

By Mr. Hines of Baldwin—

A bill to amend an Act to create a board of commissioners for the county of Baldwin.

By Mr. Johnson of Jeff Davis—

A bill to create a board of commissioners of roads and revenues for Jeff Davis county.

By Mr. Cook of Telfair—

A bill to amend an Act to create a board of commissioners of roads and revenues for Telfair county

By Mr. Johnson of Jeff Davis—

A bill to create a board of commissioners of roads and revenues of Jeff Davis county.

By Messrs. Slaton, Blackburn and Bell—

A bill to provide for the change of county lines lying within the limits of incorporated towns.

By Mr. Hall of Bibb—

A bill to require corporations operating steamship lines, etc., to allow any ship the same privilege in receiving or delivering freight at their dock or wharf.

Leave of absence was granted Messrs. Massengale, Cook of Telfair, Eaves, Boyd, Lee of Glynn.

The order of business having been exhausted, the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

ATLANTA, GA.

Saturday, August 8, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names :

Adams of Chatham,	Cowan,	Holder,
Adams of Elbert,	Crawford,	Howard,
Adams of Wilkinson,	Crumbley,	Hubbard,
Adkins,	Culbreth,	Huff,
Alexander,	Daniel,	Huie,
Allen,	Davis,	Hullender,
Anderson of Bulloch,	Davison,	Jackson,
Anderson of Cobb,	Dean,	Johnson of Jasper,
Arnold,	Dickey,	Johnson of Jeff Davis,
Ashley,	Donalson,	Johnson of Towns,
Atkinson,	Dorminy,	Jones of Meriwether,
Atwater,	Dunbar,	Jones of Mitchell,
Austin,	Duggan,	Keith,
Ballard,	Dykes,	Kendall,
Barksdale,	Eaves,	Kendrick,
Barrett,	Edmondson,	Lee,
Barrow,	Edwards,	Lively,
Bell,	Ellison,	Lumsden,
Berry,	Estes,	Lunsford,
Blackburn,	Fagan,	Matthews,
Bond,	Flanders,	MacFarland,
Bowen,	Flannigan,	McCarthy,
Boyd,	Foster,	McIntyre,
Brown of Carroll,	Fowler,	McMahan,
Brown of Oglethorpe,	Fraser,	McMichael,
Buchannon,	Frier,	McMullan,
Burkhalter,	Fullbright,	McWilliams,
Burwell,	Furr,	Martin,
Butt,	Geer,	Massengale,
Calbeck,	Gibson,	Maxwell,
Callaway,	Glenn,	Mays,
Candler,	Godley,	Mercer,
Cannon,	Goode,	Moore,
Chamlee,	Guyton,	Morris,
Clark,	Hall,	Mundy,
Clifton,	Hamilton,	Nix,
Collum,	Hardeman,	Nowell,
Cook of Chat'hoochee,	Harris,	Odum,
Cook of Telfair,	Haywood,	Orr,
Cooke of Thomas,	Heard,	Parker,
Covington,	Hill,	Parrish,
Couch,	Hines,	Payton,

Perry,	Slater,	Tyson,
Persons,	Smith of Calhoun,	Walker of Lowndes,
Peterson,	Smith of Campbell,	Walker of Milton,
Pope of Brooks,	Stephens,	Walker of Wash'ton,
Pope of Dade,	Stewart,	Ward,
Powell,	Strickland,	Warnell,
Price of Bartow,	Stubbs,	Watkins,
Price of Oconee,	Sumner,	White of Madison,
Reid of Macon,	Swilling,	White of Screven,
Reid of Putnam,	Taylor of Appling,	Whitley,
Reid of Wilcox,	Taylor of Sumter,	Williams,
Rogers,	Terrell,	Wilson,
Rountree,	Thorne,	Wise,
Russell,	Thurman,	Wootten,
Ryals,	Tift,	Wright of Floyd,
Shaw,	Townsend,	Wright of Richmond,
Sheffield,	Tracy,	Wynne,
Simmons,	Trent,	Young,
Slade,	Tuggle,	Mr. Speaker.

By unanimous consent the reading of the Journal of yesterday's proceedings was dispensed with.

By unanimous consent, the following bill was read the third time and put upon its passage, to wit:

By Messrs. Orr and Couch of Coweta—

A bill to amend an Act relating to local tax district schools.

The committee offered a substitute for the above bill which was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill the ayes were 84, nays 14.

The bill having failed to receive the requisite constitutional majority was lost.

By unanimous consent, the following bill was read the second time and recommitted, to wit:

By Messrs. Matthews and Clarke—

A bill to amend an Act to amend an Act to create a board of commissioners of roads and revenues for the county of Laurens.

By unanimous consent, the following House bill was taken up and the Senate substitute agreed to, to wit:

By Mr. Sumner of Turner—

A bill to create a board of county commissioners for the county of Turner.

The Senate proposed the following substitute:

“A bill to be entitled an Act to create a board of commissioners of roads and revenues for Turner county, as follows:

Section 1. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by authority of the same, That from and after the first day of January, 1909, there shall be a board of commissioners of roads and revenues for the county of Turner, consisting of three members to be elected by a vote of the qualified voters of said county at the general election for State and county officers on the first Wednesday in October, 1908.

Sec. 2. Be it further enacted by the authority aforesaid, That each member of said board shall, before entering upon the performance of his duties, take and subscribe before the clerk of the superior court of said county the following oath, to wit: “You do solemnly



swear that you will faithfully discharge the duties of commissioner of roads and revenues for the county of Turner in all matters which require your official action; you will so act as in your judgment will be most conducive to the welfare and prosperity of the entire county, under this Act, the Constitution and laws of the State of Georgia," which oath shall be filed and entered on the minutes of said board.

Sec. 3. Be it further enacted, That said commissioners shall have power to and shall exercise original jurisdiction and control in Turner county over all county matters that are now vested by law on the ordinaries of the various counties of Georgia, having no board of commissioners of roads and revenues, so far as relates to roads, bridges, public buildings, property, misdemeanor convicts, manager of the county jail, its fees, the control and maintenance of paupers, assessing, levying and collecting taxes, and debts due the county, disbursing public money for county purposes and the execution of all laws in reference thereto, in auditing and allowing or rejecting all claims against the county of Turner, and to fix and audit the salary of the clerk. That said board of commissioners of roads and revenues shall have the same right, power and authority to issue process, summon writs, orders and subpoenas and to punish for contempt of courts as other courts of said county and State.

Sec. 4. Be it enacted, That said board of commissioners of roads and revenues shall at their first meeting elect a clerk for a term of two years who shall not be a member of said board and whose duty it shall be to attend all meetings of the commissioners and keep in a well bound book full and accurate records and minutes of all their transactions, to arrange and keep in order of their

filing all petitions, applications and other papers addressed to said commissioners, and to record in a separate book all orders given or approved by said commissioners or their chairman for the payment of money by the county treasurer; all such books, files and records shall be provided at the expense of the county and shall be always subject to the inspection of any taxpayer of the county. Said clerk shall perform such other duties as may be required of him by said commissioners and shall at each term of the superior court of said county submit to the grand jury, for their inspection, the book of minutes and records of orders upon the county treasurer. Said clerk shall be paid a monthly salary out of the county treasury not to exceed twenty-five dollars per month. Before entering upon his duties, said clerk shall execute a bond with solvent security in the sum of \$1,000, conditioned for the faithful performance of his duties; said bond shall be approved by the chairman of said board of commissioners and recorded upon the minutes of said board.

Sec. 5. Be it further enacted, That said commissioners at their first meeting in each year shall elect one of their members a chairman, whose duty it shall be to preside at all meetings; to approve and sign the minutes of each meeting, and to sign, as chairman, each and every process, writ, summons, subpoena or order.

Sec. 6. Be it further enacted, That the treasurer of said county shall not disburse or pay out any funds belonging to the county on any order, unless the same is signed by the chairman of said board and the clerk thereof; provided, this shall not apply to jury scrips and orders drawn by the judge of the superior court.

Sec. 7. Be it further enacted, That a majority of said commissioners shall constitute a quorum to transact business or exercise any power herein delegated pertaining to the duties of said commissioners; provided, however, in contested or disputed matters a majority of the entire board shall control.

Sec. 8. Be it further enacted, That vacancies in said board shall be filled at a special election, called by the ordinary after thirty days' notice thereof in the papers in which the advertisements of the sheriff of said county are published, to be held under the same laws and regulations as elections for members of the General Assembly, said election to be held only for the unexpired term; provided, however, that in cases where the unexpired term is less than one year, the board of commissioners shall fill same by appointment.

Sec. 9. Be it further enacted, That said board of commissioners shall meet at 9 o'clock a.m. on the first Tuesday in each month and on any other date that the chairman may call a meeting.

Sec. 10. Be it further enacted, That said commission shall receive two dollars per day for each day's service rendered to the county, to be paid out of the treasury of said county, on an order drawn by order of the board and signed by the chairman and the clerk. Said commissioners shall be exempt from road and jury duty, and shall be subject to prosecution for malpractice in office in the same manner as justices of the peace.

Sec. 11. Be it further enacted, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. Slade of Muscogee—

A bill to exempt police and firemen of cities from the general exclusion of free passes.

The substitute proposed by the committee was agreed to.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill the ayes were 89, nays 29.

The bill having failed to receive the requisite constitutional majority was lost.

Mr. Russell gave notice that at the proper time he would move to reconsider the action of the House in not passing House bill No. 898, which appears above.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following resolution of the House, to wit:

A resolution to pay pension of Mrs. E. J. Coker, deceased, for year 1903 to A. M. Johnson of Webster county.

The Senate has passed as amended, by the requisite constitutional majority, the following House bills, to wit:

A bill to protect the health and provide for the comfort of the traveling public, to insure good sanitary and hygienic conditions in hotels and public inns, and for other purposes.

A bill to amend the charter of the city of Waynesboro.

The Senate has passed, by the requisite constitutional majority, the following House bill, to wit:

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Randolph.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker.*

The Senate has passed, by the requisite constitutional majority, the following bills of the Senate, to wit

A bill to amend section 492 of the Penal Code.

A bill to regulate the number of hours of telegraph and telephone operators and other persons engaged in handling of trains.

A bill to amend an Act to prescribe the method of testing illuminating oils.

A bill to extend the present school book contract until January 1, 1911, and for other purposes.

A bill to authorize the mayor and council of Cumming and the trustees of the Cumming public school district to order an election upon issuance of school bonds.

A bill to amend the charter of the city of Dalton.

A bill to amend the charter of the city of Dalton.

ATLANTA, GA., August 8, 1908.

The following message was received from his Excellency the Governor, through his secretary, Mr. Carter:

*Mr. Speaker:*

His Excellency the Governor has approved and signed the following Acts, to wit:

An Act to abolish the county court of Effingham county.

An Act to create the city court of Springfield.

An Act to amend an Act creating a board of county commissioners for Putnam county.

An Act to provide for confirming and validating all bonds issued by counties or municipalities since the adoption of the Constitution of 1877.

An Act to amend an Act creating the charter of the town of Cordele.

An Act to amend an Act incorporating the town of Cordele.

An Act to repeal the Act approved August 6, 1870, making the public roads of Terrell county twenty feet wide.

An Act to amend an Act incorporating the city of Vienna.

An Act to make certain appropriations to the University of Georgia for the use of the Technological School for the completion of the Carnegie Library building.

An Act to amend an Act creating the Haralson school district.

An Act to prohibit the employment of inexperienced persons as engineers.

An Act to amend an Act creating a board of county commissioners for Glascock county.

An Act to appropriate to the State University for the use of the State Normal School the sum of \$15,000.

An Act to amend the Act creating a board of county commissioners for Monroe county.

An Act to appropriate \$10,000 to the State University.

An Act to authorize the road commissioners of Cherokee county to order and have held an election by the qualified voters of said county.

An Act to amend the charter of the town of Center.

An Act to extend the time within which work shall be commenced on the Georgia, Southwestern & Gulf Railroad.

An Act to amend the charter of the city of Douglas.

An Act to incorporate the town of Woodland.

An Act to amend the charter of the town of Midville.

An Act to incorporate the town of Riverdale.

An Act to repeal the charter of the town of Fairmount.

An Act to incorporate the city of Warrenton.

An Act to amend the charter of the city of Cordele.

An Act to appropriate the sum of \$15,000 to the Georgia Normal and Industrial College to equip and repair the buildings, etc.

An Act to amend an Act creating a board of county commissioners for Dooly county.

An Act to establish and maintain a system of public schools in the city of Hartwell.

An Act to amend the Constitution of this State so as to define the qualifications of voters, etc.

An Act to create a new charter for the city of Eatonton.

An Act to repeal the charter of the town of Eatonton.

An Act to authorize the mayor and council of Decatur to issue bonds for buying real estate for school purposes.

An Act to authorize the mayor and council of Decatur to issue bonds for the purpose of enlarging and extending the waterworks system.

An Act to repeal an Act approved September 23, 1881, establishing a new charter for the town of Franklin.

An Act to incorporate the city of Kingsland, in Camden county.



An Act to amend an Act establishing the city court of Newton.

An Act to create a board of county commissioners for Crisp county.

An Act to authorize the town of Calhoun, in Gordon county, to convey by deed to D. L. Gardner a parcel of the town commons.

An Act to establish a new charter for the town of Fairmount.

An Act to create a new charter for the city of Blue Ridge.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has adopted the following resolution:

WHEREAS, The Lower House has arrogated to itself the position of instructor to the Upper House; and

WHEREAS, The Senate is at times inclined to treat seriously the bills emanating from the House, therefore be it

*Resolved*, by the Senate, That the House be and it is hereby requested to do please tell us what to do with its latest delivery, the Foster pension bill.

By unanimous consent, the session of the House was extended five minutes for the purpose of reading Senate bills a second time.

Mr. Huff moved that the session be extended for an

additional ten minutes for the purpose of taking up House bill No. 815 for a third reading.

Mr. Candler of DeKalb called for the continuing special order, which is the following appropriation bill, to wit:

By Mr. Candler—

A resolution to pay the expenses of the special joint committee to investigate the prison department.

The Speaker resolved the House into a committee of the whole and designated as chairman Mr. Dykes of Sumter.

After a consideration of the resolution the committee arose and reported the same back with the recommendation that it do pass as amended.

The committee proposed to amend by inserting in the blank before word "dollars," the words "\$3,000."

The amendment was adopted.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Anderson of Cobb,	Barrow,
Adams of Elbert,	Atkinson,	Blackburn,
Adams of Wilkinson,	Austin,	Bond,
Adkins,	Ballard,	Bowen,
Alexander,	Barrett,	Brown of Carroll,

Brown of Oglethorpe,	Haywood,	Price of Oconee,
Buchannon,	Hill,	Reid of Macon,
Burkhalter,	Hines,	Reid of Putnam,
Butt,	Holder,	Reid of Wilcox,
Calbeck,	Howard,	Rogers,
Candler,	Hubbard,	Rountree,
Chamlee,	Huff,	Russell,
Clifton,	Huie,	Ryals,
Collum,	Hullender,	Shaw,
Cook of Chat'hoochee,	Jackson,	Simmons,
Cooke of Thomas,	Johnson of Jeff Davis,	Slade,
Crawford,	Johnson of Towns,	Slater,
Culbreth,	Jones of Meriwether.	Smith of Campbell,
Daniel,	Jones of Mitchell,	Stephens,
Davison,	Keith,	Stewart,
Dean,	Kendall,	Sumner,
Donalson,	Kendrick,	Swilling,
Dorminy,	Lumsden,	Taylor of Sumter,
Dunbar,	Lunsford,	Thorne,
Dykes,	Matthews,	Thurman,
Edmondson,	MacFarland,	Tift,
Estes,	McIntyre,	Townsend,
Flanders,	McMahan,	Tracy,
Flannigan,	McMichael,	Trent,
Fowler,	McMullan,	Tuggle,
Frier,	McWilliams,	Tyson,
Fullbright,	Martin,	Walker of Wash'ton,
Gibson,	Moore,	Ward,
Glenn,	Odum,	Warnell,
Godley,	Ort,	White of Screven,
Goode,	Parrish,	Williams,
Guyton,	Persons,	Wise,
Hall,	Pope of Brooks,	Wynne,
Hamilton,	Pope of Dade,	Young,
Harris,	Powell,	

Those not voting were Messrs.—

Allen,	Berry,	Covington,
Anderson of Bulloch,	Boyd,	Couch,
Arnold,	Burwell,	<b>Cowan,</b>
Ashley,	Callaway,	Crumbley,
Atwater,	Cannon,	Davis,
Barksdale,	Clark,	Dickey,
Bell,	Cook of Telfair,	Duggan,

Eaves,	Maxwell,	Strickland,
Edwards,	Mays,	Stubbs,
Ellison,	Mercer,	Taylor of Appling,
Fagan,	Morris,	Terrell,
Foster,	Mundy,	Walker of Lowndes,
Fraser,	Nix,	Walker of Milton,
Furr,	Nowell,	Watkins,
Geer,	Parker,	White of Madison,
Hardeman,	Payton,	Whitley,
Heard,	Perry,	Wilson,
Johnson of Jasper,	Peterson,	Wootten,
Lee,	Price of Bartow,	Wright of Floyd,
Lively,	Sheffield,	Wright of Richmond,
McCarthy,	Smith of Calhoun,	
Massengale,		

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 119, nays 0.

The resolution having received the requisite constitutional majority was passed as amended.

By Mr. Davison—

A resolution to pay Mrs. L. H. Ledsinger for copying pension rolls in the pension office.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Austin of Murray.

After a consideration of the resolution the committee arose and through its chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Estes,	Maxwell,
Adams of Elbert,	Flannigan,	Moore,
Adams of Wilkinson,	Foster,	Odum,
Adkins,	Frier,	Orr,
Alexander,	Fullbright,	Parker,
Anderson of Bulloch,	Geer,	Parrish,
Anderson of Cobb,	Glenn,	Payton,
Atkinson,	Godley,	Perry,
Austin,	Goode,	Persons,
Ballard,	Guyton,	Pope of Brooks,
Barrett,	Hamilton,	Pope of Dade,
Barrow,	Hardeman,	Powell,
Berry,	Harris,	Price of Oconee,
Blackburn,	Haywood,	Reid of Macon,
Bond,	Heard,	Reid of Wilcox,
Brown of Carroll,	Hines,	Rogers,
Brown of Oglethorpe,	Holder,	Rountree,
Buchannon,	Howard,	Russell,
Burkhalter,	Hubbard,	Ryals,
Burwell,	Huff,	Shaw,
Butt,	Huie,	Simmons,
Calbeck,	Hullender,	Slade,
Callaway,	Johnson of Jeff Davis,	Slater,
Candler,	Johnson of Towns,	Smith of Calhoun,
Cannon,	Jones of Meriwether,	Smith of Campbell,
Chamlee,	Jones of Mitchell,	Stephens,
Clark,	Keith,	Stewart,
Clifton,	Kendall,	Stubbs,
Cooke of Thomas,	Kendrick,	Sumner,
Covington,	Lumsden,	Swilling,
Couch,	Lunsford,	Taylor of Sumter,
Crawford,	Matthews,	Terrell,
Culbreth,	MacFarland,	Thorne,
Davison,	McCarthy,	Tift,
Dean,	McIntyre,	Townsend,
Donalson,	McMahan,	Tracy,
Dykes,	McMullan,	Trent,
Edmondson,	McWilliams,	Tuggle,
Ellison,	Martin,	Tyson,

Walker of Lowndes,	Warnell,	Williams,
Walker of Milton,	White of Madison,	Wynne,
Walker of Wash'ton,	White of Screven,	Young,
<b>Ward,</b>		

Those not voting were Messrs.—

Allen,	Eaves,	Mundy,
Arnold,	Edwards,	Nix
Ashley,	Fagan,	Nowell,
Atwater,	Flanders,	Peterson,
Barksdale,	Fowler,	Price of Bartow,
Bell,	Fraser,	Reid of Putnam,
Bowen,	Furr,	Sheffield,
Boyd,	Gibson,	Strickland,
Collum,	Hall,	Taylor of Appling,
Cook of Chat'hoochee,	Hill,	Thurman,
Cook of Telfair,	Jackson,	Watkins,
Cowan,	Johnson of Jasper,	Whitley,
Crumbley,	Lee,	Wilson,
Daniel,	Lively,	Wise,
Davis,	McMichael,	Wootten,
Dickey,	Massengale,	Wright of Floyd,
Dorminy,	Mays,	Wright of Richmond,
Dunbar,	Mercer,	Mr. Speaker.
Duggan,	Morris,	

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the resolution the ayes were 127, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Mays of Butts—

A bill to appropriate \$3,000, or so much thereof as may be necessary for the protection of Indian Spring.

An appropriation being involved, the Speaker resolved

the House into a committee of the whole and designated as chairman Mr. Stewart of Taylor.

After a consideration of the bill the committee arose and through its chairman reported the same back with the recommendation that it do pass as amended.

The committee proposed to amend by striking section 4 and numbering remaining sections accordingly; also, to amend by striking "\$3,000" and inserting "\$2,000."

The amendments were adopted.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Clifton,	Huie,
Adams of Wilkinson,	Cook of Chat'hoochee,	Hullender,
Adkins,	Covington,	Jackson,
Anderson of Bulloch,	Couch,	Johnson of Jeff Davis,
Anderson of Cobb,	Culbreth,	Johnson of Towns,
Atkinson,	Daniel,	Jones of Meriwether,
Ballard,	Davison,	Jones of Mitchell,
Barrett,	Dean,	Keith,
Barrow,	Dorminy,	Kendall,
Blackburn,	Dykes,	Lumsden,
Bowen,	Flannigan,	Lunsford,
Brown of Carroll,	Foster,	Matthews,
Brown of Oglethorpe.	Fowler,	McCarthy,
Buchannon,	Fullbright,	McIntyre,
Burkhalter,	Guyton,	McMahan,
Burwell,	Hardeman,	McMullan,
Butt,	Hill,	McWilliams,
Calbeck,	Hines,	Martin,
Callaway,	Holder,	Moore,
Cannon,	Hubbard,	Odum,
Chamlee,	Huff,	Orr,

Parker,	Shaw,	Terrell,
Parrish,	Simmons,	Thorne,
Payton,	Slade,	Tift,
Perry,	Slater,	Tuggle,
Persons,	Smith of Calhoun,	Walker of Wash'ton,
Pope of Brooks,	Smith of Campbell,	Ward,
Pope of Dade,	Stephens,	Warnell,
Reid of Putnam,	Stewart,	Williams,
Reid of Wilcox,	Stubbs,	Wise,
Rountree,	Sumner,	Young,
Russell,	Taylor of Sumter,	

Those voting in the negative were Messrs.—

Adams of Elbert,	Goode,	Thurman,
Alexander,	Hamilton,	Townsend,
Arnold,	Harris,	Tracy,
Austin,	Haywood,	Trent,
Berry,	Howard,	Tyson,
Cooke of Thomas,	Kendrick,	Walker of Lowndes,
Crawford	MacFarland,	Walker of Milton,
Edmondson,	Powell,	White of Madison,
Ellison,	Reid of Macon,	White of Screven,
Glenn,	Rogers,	Wynne,
Godley,		

Those not voting were Messrs.—

Allen,	Dunbar,	Lively,
Ashley,	Duggan,	McMichael,
Atwater,	Faves,	Massengale,
Barksdale,	Edwards,	Maxwell,
Bell,	Estes,	Mays,
Bond,	Fagan,	Mercer,
Boyd,	Flanders,	Morris,
Candler,	Fraser,	Mundy,
Clark,	Frier,	Nix,
Collum,	Furr,	Nowell,
Cook of Telfair,	Geer,	Peterson,
Cowan,	Gibson,	Price of Bartow,
Crumbley,	Hall,	Price of Oconee,
Davis,	Heard,	Ryals,
Dickey,	Johnson of Jasper,	Sheffield,
Donalson,	Lee,	Strickland,



Swilling,  
Taylor of Appling,  
Watkins,

Whitley,  
Wilson,  
Wootten,

Wright of Floyd,  
Wright of Richmond.  
Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the resolution the ayes were 95, nays 31.

The resolution having received the requisite constitutional majority was passed.

By Messrs. Wright and Chamlee—

A resolution to pay W L. Michael \$572.05 principal and \$80.00 interest, being the amount of interest received by the State from penitentiary lessees for time served in the penitentiary over and above the term of his sentence.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Holder of Jackson.

After a consideration of the resolution the committee arose, and through their chairman reported the same back with the recommendation that it do pass.

The committee proposed to amend by striking the words "and \$80 as interest" wherever they occur, which was adopted.

Mr Alexander moved that the bill be tabled, and no quorum having voted, the Speaker directed a call of the roll which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Frier,	McMullan,
Adams of Wilkinson,	Fullbright,	Orr,
Alexander,	Geer,	Payton,
Arnold,	Glenn,	Pope of Dade,
Atkinson,	Godley,	Price of Oconee,
Brown of Oglethorpe,	Goode,	Reid of Macon,
Burwell,	Hamilton,	Rountree,
Butt,	Harris,	Russell,
Calbeck,	Haywood,	Ryals,
Callaway,	Hill,	Shaw,
Candler,	Hines,	Simmons,
Cannon,	Holder,	Slade,
Chamlee,	Hubbard,	Smith of Campbell,
Cook of Chat'hoochee,	Huie,	Stubbs,
Cooke of Thomas,	Jackson,	Sumner,
Crawford,	Johnson of Jeff Davis,	Terrell,
Davison,	Jones of Mitchell,	Thorne,
Dykes,	MacFarland,	Tift,
Edmondson,	McCarthy,	Tuggle,
Flanders,	McIntyre,	Warnell,
Fowler,	McMahan,	

Those voting in the negative were Messrs.—

Adkins,	Hardeman,	Reid of Putnam,
Anderson of Bulloch,	Heard,	Reid of Wilcox,
Ballard,	Howard,	Rogers,
Barrett,	Huff,	Slater,
Berry,	Hullender,	Smith of Calhoun,
Blackburn,	Jones of Meriwether,	Stephens,
Bond,	Keith,	Stewart,
Bowen,	Kendrick,	Taylor of Sumter,
Brown of Carroll,	Lumsden,	Townsend,
Buchannon,	Mercer,	Tracy,
Burkhalter,	Moore,	Trent,
Clifton,	Odum,	Tyson,
Couch,	Parker,	Walker of Lowndes,
Culbreth,	Perry,	Walker of Milton,
Dorminy,	Persons,	White of Screven,
Ellison,	Pope of Brooks,	Wynne,
Hall,	Powell,	

Those not voting were Messrs.—

Adams of Chatham,	Edwards,	Nix,
Allen,	Estes,	Nowell,
Anderson of Cobb,	Fagan,	Parrish,
Ashley,	Flannigan,	Peterson,
Atwater,	Foster,	Price of Bartow,
Austin,	Fraser,	Sheffield,
Barksdale,	Furr,	Strickland,
Barrow,	Gibson,	Swilling,
Bell,	Guyton,	Taylor of Appling,
Boyd,	Johnson of Jasper,	Thurman,
Clark,	Johnson of Towns,	Walker of Wash'ton,
Collum,	Kendall,	Ward,
Cook of Telfair,	Lee,	Watkins,
Covington,	Lively,	White of Madison.
Cowan,	Lunsford,	Whitley,
Crumbley,	Matthews,	Williams,
Daniel,	McMichael,	Wilson,
Davis,	McWilliams,	Wise,
Dean,	Martin,	Wootten,
Dickey,	Massengale,	Wright of Floyd,
Donalson,	Maxwell,	Wright of Richmond,
Dunbar,	Mays,	Young,
Duggan,	Morris,	Mr. Speaker.
Eaves,	Mundy,	

By unanimous consent the verification of the roll-call was dispensed with.

On the motion to table the bill the ayes were 62, nays 50. The same was, therefore, tabled.

By Mr. McCarthy of Chatham—

A resolution for the relief of L. B. Riser, H. H. Silvers, H. C. Cunningham, R. G. Prowder, S. Frain and L. Mell.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Adkins of Dooly.

After a consideration of the resolution the committee arose, and through its chairman reported the same back to the House with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Frier,	Parker,
Adams of Elbert,	Glenn,	Parrish,
Adams of Wilkinson,	Godley,	Persons,
Adkins,	Goode,	Pope of Dade,
Alexander,	Guyton,	Powell,
Anderson of Bulloch,	Hall,	Reid of Putnam,
Arnold,	Hamilton,	Rogers,
Atkinson,	Harris,	Rountree,
Ballard,	Haywood,	Russell,
Barrett,	Heard,	Ryals,
Berry,	Hill,	Shaw,
Blackburn,	Hines,	Simmons,
Brown of Carroll,	Holder,	Slade,
Brown of Oglethorpe,	Howard,	Slater,
Buchannon,	Hubbard,	Smith of Campbell,
Burkhalter,	Huff,	Stephens,
Burwell,	Hullender,	Stewart,
Butt,	Johnson of Jeff Davis,	Stubbs,
Calbeck,	Johnson of Towns,	Sumner,
Candler,	Jones of Meriwether,	Taylor of Sumter,
Cannon,	Jones of Mitchell,	Terrell,
Chamlee,	Keith,	Thorne,
Cook of Chat'hoochee,	Kendall,	Tift,
Cooke of Thomas,	Kendrick,	Tracy,
Covington,	Lumsden,	Trent,
Couch,	MacFarland,	Tuggle,
Daniel,	McCarthy,	Tyson,
Davison,	McIntyre,	Walker of Wash'ton,
Dorminy,	McMahan,	Warnell,
Dykes,	McMichael,	White of Screven,
Edmondson,	McMullan,	Williams,
Ellison,	Moore,	Wynne,
Fowler,	Orr,	Young,

Those not voting were Messrs.—

Allen,	Estes,	Odum,
Anderson of Cobb,	Fagan,	Payton,
Ashley,	Flanders,	Perry,
Atwater,	Flannigan,	Peterson,
Austin,	Foster,	Pope of Brooks,
Barksdale,	Fraser,	Price of Bartow,
Barrow,	Fullbright,	Price of Oconee,
Bell,	Furr,	Reid of Macon,
Bond,	Geer,	Reid of Wilcox,
Bowen,	Gibson,	Sheffield,
Boyd,	Hardeman,	Smith of Calhoun,
Callaway,	Huie,	Strickland,
Clark,	Jackson,	Swilling,
Clifton,	Johnson of Jasper,	Taylor of Appling,
Collum,	Lee,	Thurman,
Cook of Telfair,	Lively,	Townsend,
Cowan,	Lunsford,	Walker of Lowndes,
Crawford,	Matthews,	Walker of Milton,
Crumbley,	McWilliams,	Ward,
Culbreth,	Martin,	Watkins,
Davis,	Massengale,	White of Madison,
Dean,	Maxwell,	Whitley,
Dickey,	Mays,	Wilson,
Donalson,	Mercer,	Wise,
Dunbar,	Morris,	Wootten,
Duggan,	Mundy,	Wright of Floyd,
Eaves,	Nix,	Wright of Richmond,
Edwards,	Nowell,	Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the resolution the ayes were 99, nays 0.

The resolution having received the requisite constitutional majority was passed.

Mr. Hall of Bibb moved that when the House adjourns this morning it stand adjourned until 9 o'clock Monday morning, which motion prevailed.

Mr. Blackburn moved that the session be extended from 1 o'clock to 1:20 o'clock p.m. for the purpose—

- (1) Reading reports of standing committees.
- (2) Reading House bills the second time.
- (3) Reading Senate bills the second time.
- (4) Concurrence in Senate amendments to House bills.

The motion prevailed.

Mr. White of Screven moved that the House reconsider its action in adopting a motion to adjourn after this morning's session until 9 o'clock Monday morning, and on that motion called the ayes and nays.

The call was sustained, and on calling the ayes and nays the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Estes,	Hullender,
Adkins,	Flanders,	Johnson of Jeff Davis,
Alexander,	Foster,	Jones of Mitchell,
Atkinson,	Fowler,	Keith,
Barrett,	Frier,	Kendall,
Blackburn,	Fullbright,	Matthews,
Brown of Carroll,	Glenn,	MacFarland,
Buchannon,	Godley,	McCarthy,
Burkhalter,	Goode,	McIntyre,
Burwell,	Hall,	McMahan,
Butt,	Hamilton,	McMullan,
Calbeck,	Heard,	McWilliams,
Chamlee,	Hill,	Moore,
Clark,	Hines,	Orr,
Clifton,	Holder,	Parker,
Daniel,	Howard,	Persons,
Dorminy,	Hubbard,	Pope of Brooks,
Edmondson,	Huie,	Pope of Dade,

Price of Oconee,	Stubbs,	Trent,
Reid of Putnam,	Sumner,	Tuggle,
Reid of Wilcox,	Swilling,	Walker of Lowndes,
Rountree,	Taylor of Sumter,	Walker of Milton,
Ryals,	Terrell,	White of Screven,
Shaw,	Thurman,	Williams,
Slade,	Townsend,	Wise,
Smith of Campbell,	Tracy,	Wynne,
Stephens,		

Those voting in the negative were Messrs.—

Adams of Elbert,	Cooke of Thomas,	McMichael,
Anderson of Bulloch,	Crawford,	Russell,
Berry,	Davison,	Simmons,
Bond,	Guyton,	Stewart,
Bowen,	Harris,	Thorne,
Brown of Oglethorpe,	Haywood,	Tyson,
Candler,	Huff,	Walker of Wash'ton,
Cannon,	Johnson of Towns,	Warnell,
Cook of Chat'hoochee,	Lumsden,	Young,

Those not voting were Messrs.—

Adams of Wilkinson,	Davis,	Kendrick,
Allen,	Dean,	Lee,
Anderson of Cobb,	Dickey,	Lively,
Arnold,	Donalson,	Lunsford,
Ashley,	Dunbar,	Martin,
Atwater,	Duggan,	Massengale,
Austin,	Dykes,	Maxwell,
Ballard,	Eaves,	Mays,
Barksdale,	Edwards,	Mercer,
Barrow,	Ellison,	Morris,
Bell,	Fagan,	Mundy,
Boyd,	Flannigan,	Nix,
Callaway,	Fraser,	Nowell,
Collum,	Furr,	Odum,
Cook of Telfair,	Geer,	Parrish,
Covington,	Gibson,	Payton,
Couch,	Hardeman,	Perry,
Cowan,	Jackson,	Peterson,
Crumbley,	Johnson of Jasper,	Powell,
Culbreth,	Jones of Meriwether,	Price of Bartow,

Reid of Macon,	Taylor of Appling,	Wilson,
Rogers,	Tift,	Wooten,
Sheffield,	Ward,	Wright of Floyd,
Slater,	Watkins,	Wright of Richmond,
Smith of Calhoun,	White of Madison,	Mr. Speaker.
Strickland,	Whitley,	

On motion of Mr. Hines, the verification of the roll-call was dispensed with.

On the motion to reconsider the ayes were 79, nays 27  
The motion, therefore, prevailed.

The following resolution was read and adopted, to wit:

By Mr. Wise of Fayette—

A resolution to fix the order of business for this afternoon as follows:

- (1) Local House bills for third reading,
- (2) Local House bills second time.
- (3) Local Senate bills second and third reading, and Senate bills first reading.
- (4) Reports of standing committees.
- (5) Local House bills Senate amendments.

The following resolutions were read and the instructions adopted and the same referred to the Committee on Rules, to wit:

By Mr. Burkhalter—

A resolution to fix House bill No. 377 as a special order.



The following resolutions were read and instructions lost, to wit:

By Mr. Butt of Fannin—

A resolution to fix House resolution No. 263 as a special order.

Referred to Committee on Rules.

By Mr. Adams of Chatham—

A resolution to fix House bill No. 47 as a special order.

Referred to Committee on Rules.

By Mr. Barrett—

A resolution to fix House bill No. 883 as a special order.

Referred to Committee on Rules.

The regular hour of adjournment having arrived, the following Senate bills were read the second time, to wit:

By Mr. Howard of 20th district—

A bill to amend section 671, volume 3 of the Code.

By Mr. Knight of 6th district—

A bill to change and fix the time of holding the superior court of Tift.

By Mr. Overstreet of 17th district—

A bill to regulate the publication of all legal advertisements in certain counties.

By Mr. Hardman of 33d district—

A bill to provide penalties for common carriers who intentionally convert property to its own use entrusted to them for transportation.

By Mr. Gordy of 24th district—

A bill to fix the number of days required of persons subject to road duty.

By Mr. Wilkes of 7th district—

A bill to repeal an Act to incorporate the town of Kingwood.

By Mr. Stephens of 1st district—

A bill to provide for the organization, etc., of volunteer military companies to be known as "Georgia Volunteers."

By Mr. Henderson of 15th district—

A bill to amend the charter of the city of Ocilla.

By Mr. Felder of 22d district—

A bill to amend the charter of Macon.

By Mr. Cowart of 9th district—

A bill to provide for the change of county lines lying within incorporated towns.

By Mr. Dean of 5th district—

A bill to require all births to be reported to the ordinary.

Mr. Foster, chairman of the Committee on Pensions, submitted the following report:

*Mr. Speaker:*

Your Committee on Pensions have had under consideration House bill No. 309 to pay pension of Gus J. Grimsley and direct me to report the same back to the House with the recommendation that it do pass.

J. Z. FOSTER, Chairman.

Mr. Blackburn, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following bills of the Senate and House and as its chairman I am requested to report the same back as follows:

Senate bill No. 167, entitled an Act to amend an Act establishing a city court of Mullin, do pass by substitute.

House bill 1122, entitled an Act to establish the city court of Hazlehurst, in the county of Jeff Davis, do pass.

All of which is respectfully submitted,

BLACKBURN, Chairman.

Mr. Adams, vice-chairman of the Committee on Appropriations, submitted the following report:

*Mr. Speaker:*

Your Committee on Appropriations have had under consideration the following bill of the House and have

instructed me as their vice-chairman to report same back with the recommendation that it do pass as amended.

By Messrs. Blackburn and Bell—

To make appropriation for the State Board of Health.

Respectfully submitted,

W B. ADAMS, Vice-chairman.

The following bill, which was made the special order for this hour, was read the third time and put upon its passage, to wit:

By Mr. Shaw of Clay—

A bill to require certain hotels and boarding-houses to furnish mosquito bars.

The time allowed for the consideration of the above bill having expired, the same was carried over as unfinished business.

The following bills were taken up and the Senate amendments concurred in, to wit:

By Mr. Fullbright of Burke—

A bill to amend the charter of the city of Waynesboro, so as to extend the corporate limits.

The Senate proposed to amend as follows:

By striking from section 1 the following words: "Beginning where the present city limits, as fixed in above recited Act, cross the right of way of the Augusta & Savannah R. R. Co. on the north of the city and running

up said right of way to the northern extremity of what is," and inserting in lieu thereof the following: "Beginning where the present city limits cross what is known as the town ditch on the north of said city and running a continuous straight line from said starting point to the extreme northwest corner of Woodland"; also,

To amend by striking all of section 2 and numbering remaining sections accordingly.

By Mr. Dorminy—

A bill to incorporate the city of Fitzgerald.

The Senate proposed to amend by adding "1910" instead of "1909," in section 3.

By Mr. Simmons of Gilmer—

A bill to create a new charter for the town of Ellijay.

The Senate proposed to amend section 2 by striking words "south and east"; also to amend by adding at end of section 2 the following: "Provided, however, that that part of the territory described above which is located east of the L. & N. R. R. and south of the Cartecay river shall not be included in the corporate limits of said town"; also to amend by striking sections 24, 25, 34, 50, 62, 63, 64, 65, 66, 67, 68, 69, 75, 74; also to amend by striking section 61 and inserting, "Be it further enacted, That the mayor and council shall have authority to grant franchises to waterworks, gas works, electric lights, telegraph and telephone companies with the right to operate said works in said town on such terms and conditions as the mayor and council of said town may by ordinance prescribe"; also to amend by renumbering the sections from 1 to — consecutively

By Messrs. Holder and Flannigan—

A bill to amend an Act to create a board of commissioners of roads and revenues for Jackson county.

The Senate proposes to amend by adding the following :

“Sec. 11. Be it further enacted, That the chairman of the board of commissioners of roads and revenues of Jackson county shall receive the fee or salary now going to the ordinary, and shall have in addition to that enough to make his salary amount to \$900 per annum, and shall devote all his time to the work of the county

“Sec. 12. Be it further enacted, That this Act shall not become operative until it has been submitted to a vote of the people, which shall be in October next, and if said voters shall be a majority of all the votes cast this Act shall become operative immediately thereafter; if not, it shall be lost. Those favoring this Act shall have written or printed on their ballot, ‘For the Act,’ and those against this Act shall have written or printed on their ballots, ‘Against the Act.’ ”

By Mr. Taylor of Appling—

A bill to create a board of commissioners of roads and revenues for Appling county.

The Senate proposed to amend as follows: “By adding a new section to be known as section 13, to wit: “Sec. 13. Be it further enacted, That there shall devolve upon the board of county commissioners created by this Act all the duties of bridge and road commissioners provided for by Act of 1903 entitled “an Act to create a board of road and bridge commissioners for

Appling county; define their powers and prescribe their duties, and for other purposes," approved July 16, 1903, as amended by Act of 1904, entitled "An Act to amend an Act approved July 16, 1903, entitled 'An Act to create a board of road and bridge commissioners for Appling county; define their powers and prescribe their duties, and for other purposes,' approved July 29, 1904, as amended by Act of 1905 entitled 'An Act to amend an Act entitled an Act to create a board of road and bridge commissioners for Appling county; define their powers and prescribe their duties, and for other purposes,' approved July 16, 1903, so as to change the number of commissioners; provide for a general superintendent; to fix their compensation, and for other purposes, approved August 23, 1905." Also to amend by changing "section 13" to "section 14."

Leave of absence was granted Messrs. Hamilton and Kendall.

The order of business having been exhausted, the Speaker announced the House adjourned until 3 o'clock this afternoon.

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3 O'clock P.M.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

The following local House bills were read the third time and put upon their passage, to-wit:

By Mr. White of Screven—

A bill to create a system of public schools for the city of Sylvania.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Pope of Brooks—

A bill to incorporate the town of Dixie, in the county of Brooks.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 101, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Cook of Telfair—

A bill to amend an Act to create a board of commissioners of roads and revenues for Laurens county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.



By Mr. Hines of Baldwin—

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Baldwin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. White of Madison—

A bill to incorporate the city of Danielsville.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Johnson of Jeff Davis—

A bill to create a board of commissioners of roads and revenues for Davis county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion of Mr. White of Screven, the House re-

considered its action in passing House bill No. 1125 for the purpose of amending same.

The bill was again read and put upon its passage, to wit:

By Mr. White of Screven—

A bill to create a system of public schools for the town of Sylvania.

Mr. White proposed to amend by inserting the name of J. W. Powell in the place of H. J. Arnett, in section 2 of said bill.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Calbeck, acting chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters recommends that the below numbered bill do pass:

House bill No 1136.

O. CALBECK, Acting Chairman.

The following House bills were read the second time, to wit:

By Mr. Ward of Coffee—

A bill to establish the city court of Hazlehurst.

By Mr. Anderson of Bulloch—

A bill to extend the time within which work shall be commenced on the Statesboro & Western Ry.

By Mr. Fraser of Liberty—

A resolution to furnish Georgia Reports to Liberty county.

By Mr. Morris of Wayne—

A resolution to furnish Georgia Reports to Wayne county.

By Mr. Williams of Dodge—

A resolution to pay Gus J. Grimsley a pension.

By Mr. Blackburn—

A resolution for the relief of Mrs. Lottie C. Coker.

The following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Henderson of 15th district—

A bill to adolish the office of commissioner of roads and revenues for Irwin county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Henderson of 15th district—

A bill to create a board of commissioners of roads and revenues for Irwin county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Dobbs of 35th district—

A bill to amend an Act to create a new charter for the city of Marietta.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Bradley of 16th district—

A bill to amend an Act to create a new charter for the city of Dublin.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Hawes of 30th district—

A bill to amend the charter of the city of Athens.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

On motion of Mr. McMahan of Clarke, the House reconsidered its action in passing the above bill, and indefinitely postponed action thereon.

The following Senate bills were read the first time, to wit:

By Mr. Wilkes of 7th district—

A bill to amend section 492 of the Penal Code.

Referred to General Judiciary Committee.

By Mr. Felder of 22d district—

A bill to amend an Act prescribing the manner of testing illuminating oils.

Referred to Committee on General Agriculture.

By Mr. Felder of 22d district—

A bill to regulate the exchange of documents between Georgia and other States.

Referred to Committee on Public Library

By Mr. Williford of 28th district—

A bill to regulate the hours of work of telegraph and telephone companies, etc.

Referred to General Judiciary Committee.

By Mr Henderson of 39th district—

A bill to extend the present school book contract until January 1, 1911.

Referred to Committee on Education.

By Mr. Martin of 43d district—

A bill to amend the charter of the city of Dalton.

Referred to Committee on Corporations.

By Mr. Hudson of 24th district—

A bill to put a tax on all persons selling pictures or taking orders for same.

Referred to Counties and County Matters Committee.

By Mr. Henderson of 39th district—

A bill to authorize the town of Cumming to issue bonds for school purposes.

Referred to Counties and County Matters Committee.

By Mr. Williford of 28th district—

A bill to create a new charter for the town of Buckhead.

Referred to Committee on Corporations.

By Mr. Martin of 43d district—

A bill to amend the charter of the city of Dawson.

Referred to Committee on Corporations.

The following bills were read the second time and re-committed, to wit:

By Mr. Lumsden of White—

A bill to allow passengers occupying lower berths on sleeping cars to control unoccupied upper berths.

By Mr. Lumsden—

A bill to prohibit the manufacture and sale of cigarettes or cigarette papers.

The following bill was read and the Senate amendments concurred in, to wit:

By Mr. Buchannon of Early—

A bill to provide for an examination into the affairs of the dispensary of Blakely.

The Senate proposed to amend the caption as follows: To strike out the words "during the last six months of the year 1906," in line 3 of the caption and insert in lieu thereof the following words: "From its organization up to the present time," so that said caption when so amended shall read as follows: "A bill to be entitled an Act to provide for an examination into the affairs of the dispensary in Blakely, Georgia, from its organization up to the present time, and for other purposes"; also, to amend further by striking from the lines 9 and 10 of section 1 of said bill

the following words, "for and during the period of the last six months of the year 1906," and inserting in lieu thereof the words, "from the organization of said dispensary up to the present time;" also to amend by striking from lines 3 and 4 of section 1 the following words: "That the clerk of the superior court, county treasurer and tax-collector of Early county," and inserting in lieu thereof the following words: "A competent auditor to be appointed by the judge of the superior courts of the Pataula circuit as soon as practicable after the passage and approval of this bill"; also,

To amend by striking all of section 4 of said bill, and inserting the following to be known as section 4 of said bill: "Be it further enacted by authority aforesaid, That said auditor shall be paid for his services such sums as said judge of said superior court may designate, not to exceed the sum of \$150, to be paid out of the funds arising from the rent or sale of the dispensary building in Blakeley, upon the order of said judge"; also, to amend by inserting after the word "witness" and before word "and" in line 20, section 1, the words, "Including any and all officers of any bank or other corporations"; also,

To amend by inserting after the word "papers" and "and," in line 21, section 1, the following words: "Whether the custody, control or possession of said witness in his individual capacity as an officer of any bank or other corporations."

The order of business having been exhausted, the Speaker announced the House adjourned until 9 o'clock Monday morning."



ATLANTA, GA.,

Monday, August 10, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and reading of the Journal of Saturday's proceedings were dispensed with.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Messrs. Taylor and Martin—

A bill to amend an Act to more thoroughly carry into effect an Act to prevent the adulteration of foods, etc., and for other purposes.

Mr. Martin proposed to amend by striking all of section 4 of the bill, which was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

Mr. Hall of Bibb moved that all bills which pass today be immediately transmitted to the Senate, which motion prevailed.

ATLANTA, GA., August 10, 1908.

The following message was received from his Excellency the Governor, through his secretary, Mr. Carter:

*Mr. Speaker.*

His Excellency the Governor, has approved and signed the following Acts, to wit:

An Act to create a new charter for the city of Jackson.

An Act to authorize the city of Lavonia to establish a system of public schools.

An Act providing for the creation of a board of health for the city of Athens.

An Act to repeal an Act to establish a city court for the county of Miller.

An Act to establish a city court in and for Miller county.

An Act to amend an Act, approved December 12, 1859, to incorporate the town of Perry.

An Act to abolish the county court of Houston county.

An Act to establish a city court in and for Houston county.

An Act to amend an Act creating the city court of Dalton.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the Senate, to wit:

A bill to incorporate the town of Union City, in the county of Campbell.

Also a bill to amend the registration laws of Georgia.

Also a bill to authorize municipal authorities to establish a farm for misdemeanor convicts.

Also a bill to authorize the Governor to contract for a certain tract of land in Chattanooga, Tenn.

Also a bill to extend the time of completion of the Savannah, Statesboro & Western Railroad.

Also a bill to amend the charter of the city of Colquitt.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following House bills, to wit:

A bill to increase the salary of State Entomologist.

Also a bill to repeal an Act to create a county court in each county in the State of Georgia, except certain counties therein mentioned, approved January 9, 1872, and Acts amendatory thereof, so far as the same applies to the county of Camden.

Also a bill to establish a sanitarium for treatment of tuberculosis or consumptive patients, and for other purposes.

Mr. Russell of Muscogee moved that the House reconsider its action in not passing on Saturday House bill No. 898, which motion prevailed, and the bill resumed its place on the calendar.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:  
By Messrs. Matthews and Clark—

A bill to amend an Act entitled an Act to create a board of commissioners of roads and revenues for Laurens county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent the time for granting unanimous consents was extended until 10 o'clock.

By Messrs. Barrett and Calbeck—

A bill to provide how and in what manner pensions due Confederate soldiers and their widows shall be paid.

The following amendments were adopted:

By Mr. Hall of Bibb—

To amend by striking that part of section 5 which

reads as follows: "That said ordinary shall be paid by his county the sum of one dollar for the name of each so entered on said rolls, and for receiving and paying out the money, taking receipts, and for all services rendered each person."

The committee proposed to amend by inserting the words, "in one sum" between the word "annually" and "between" in line 5 of section 1.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 114, nays 5.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. White of Madison—

A bill to abolish the city court of Madison county.

Mr. White proposed to amend by striking all of section 6 after word "effect" in line 3, and insert in lieu thereof the words, "on the first day of January, 1909."

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 114, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. White of Madison—

A bill to establish the city court of Danielsville.

Mr. White proposed to amend section 1 by striking from line 4 the words, "passage of this Act" and inserting the words, "the first day of January, 1909," also,

To amend section 11 by striking from line 20 the word "October" and figure "8," and insert "January" and figure "9," and by striking all of section 11 after line 21, and insert the words, "the December term, 1908, the city court of Madison county shall be triable at said January term, 1909, which latter term shall be trial term of said cases;" also

To amend section 28, line 3, by inserting after the word "shall," the following words: "In their discretion," and by striking in line 5 the word "all," and insert the word "any," and by striking in line 16 the words, "of five dollars."

To amend section 32 by striking in line 3 the word "now" before word "pending," and by inserting in line 4, after word "county" the following: "On January 1, 1909;" also

To amend section 38 by striking word "September" and figure "8" in line 2 and insert "January" and figure "9."

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 115, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The following resolution was read and instructions adopted, to wit:

By Mr. Russell—

A resolution instructing Committee on Rules to make House bill No. 898 an immediate special order.

By unanimous consent the time for granting unanimous consents was extended until 10:30 o'clock.

By Mr. Alexander of DeKalb—

A bill to amend section 2334 of the Code relating to venue of suits against railroad companies.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 114, nays 0.

The bill having received the requisite constitutional majority was passed.

By Messrs. Blackburn and Bell of Fulton—

A bill to more clearly define the name of the State Technological School; to confer upon the local board of trustees of said school certain powers, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 52, nays 43.

The bill having failed to receive the requisite constitutional majority was lost.

By Mr. Fraser of Liberty—

A bill to provide penalty for persons hunting or fishing on private lands.

Mr. Perry of Hall proposed to amend by adding to section 1 the words, "except wild lands."

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 82, nays 26.

The bill having failed to receive the requisite constitutional majority was lost.

By unanimous consent the following Senate bills were read the second time and recommitted, to wit:

By Mr. Martin of 43d district—

A bill to amend the charter of the city of Dalton, to levy a tax for schools.

By Mr. Martin of 43d district—

A bill to amend the charter of the city of Dawson so as to create the office of recorder, etc.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Messrs. Chamlee, Wright and Dean—

A bill to amend an Act to create the city court of Floyd county.

The report of the committee, which was favorable to the passage of the bill, was agreed to.



On the passage of the bill the ayes were 98, nays **a**.

The bill having received the requisite constitutional majority was passed.

The following special orders were read the third time and put upon their passage, to wit:

By Mr Ellison of Harris—

A resolution to pay a pension to Mrs. Nancy M. Collier.

An appropriation being involved the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Tift of Dougherty.

After considering the resolution the committee arose, and through their chairman reported the same back to the House with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, and the vote is as follows :

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Barksdale,	Calbeck,
Adams of Elbert,	Barrett,	Callaway,
Adams of Wilkinson,	Barrow,	Candler,
Adkins,	Bell,	Cannon,
Alexander,	Blackburn,	Chamlee,
Anderson of Bulloch,	Bond,	Clark,
Anderson of Cobb,	Bowen,	Clifton,
Arnold,	Brown of Carroll,	Collum,
Ashley,	Brown of Oglethorpe.	Cook of Chat'hoochee,
Atkinson,	Buchannon,	Cooke of Thomas,
Austin,	Burkhalter,	Couch,
Ballard,	Butt,	Cowan,

Crawford,	Huie,	Price of Oconee,
Daniel,	Jackson,	Reid of Macon,
Davison,	Johnson of Jasper,	Reid of Putnam,
Dean,	Johnson of Towns,	Reid of Wilcox,
Donalson,	Jones of Meriwether.	Rogers,
Dorminy,	Jones of Mitchell,	Rountree,
Dunbar,	Keith,	Sheffield,
Duggan,	Kendall,	Slater,
Dykes,	Kendrick,	Stewart,
Eaves,	Lumsden,	Swilling,
Edmondson,	Lunsford	Taylor of Sumter,
Edwards,	MacFarland,	Terrell,
Ellison,	McCarthy,	Thorne,
Estes,	McIntyre,	Tift,
Fagan,	McMahan,	Townsend,
Flanders,	McMullan,	Tracy,
Flannigan,	Martin,	Trent,
Foster,	Maxwell,	Tuggle,
Fowler,	Mays,	Tyson,
Frier,	Moore,	Walker of Lowndes,
Geer,	Nix,	Walker of Milton,
Gibson,	Odum,	Walker of Wash'ton,
Glenn,	Orr,	Ward
Goode,	Parker,	Watkins,
Guyton,	Parrish,	Williams,
Hardeman,	Persons,	Wilson,
Harris,	Pope of Brooks,	Wright of Floyd,
Hubbard,	Pope of Dade,	Wynne,
Huff,	Powell,	Young,

Those not voting were Messrs.—

Allen,	Fullbright,	Johnson of Jeff Davis,
Atwater,	Furr,	Lee,
Berry,	Godley,	Lively,
Boyd,	Hall,	Matthews,
Burwell,	Hamilton,	McMichael,
Cook of Telfair,	Haywood,	McWilliams,
Covington,	Heard,	Massengale,
Crumbley,	Hill,	Mercer,
Culbreth,	Hines,	Morris,
Davis,	Holder,	Mundy,
Dickey,	Howard,	Nowell,
Fraser,	Hullender,	Payton,

Perry,	Smith of Calhoun,	Warnell,
Peterson,	Smith of Campbell,	White of Madison,
Price of Bartow,	Stephens,	White of Screven,
Russell,	Strickland,	Whitley,
Ryals,	Stubbs,	Wise,
Shaw,	Sumner,	Wootten,
Simmons,	Taylor of Appling,	Wright of Richmond,
Slade,	Thurman,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 123, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Adams of Chatham—

A bill to authorize municipal authorities to establish and maintain, either alone or in connection with the county authorities, a farm to work convicts on convicted in the police court.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 110, nays 1.

The bill having received the requisite constitutional majority was passed.

Mr. Hall of Bibb, vice-chairman of the Committee on Rules, submitted the following report:

*Mr. Speaker:*

The Committee on Rules has had under consideration House resolution No. 329, and direct me to report same

back to House, as instructed by the House, with the recommendation that it be adopted. Committee have also had under consideration House resolution 332, and report same back with recommendation that it be adopted.

Respectfully submitted,

J. H. HALL, Vice-Chairman.

The following resolutions, favorably reported by the Committee on Rules, were read and adopted, to wit:

By Mr. Burkhalter—

A resolution to fix House bill No. 377 as a special order

By Mr. Russell—

A resolution to fix as a special order House bill No. 898.

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. Barrett of Stephens—

A bill to amend an Act to make appropriations for expenses of State government, and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 95, nays 2.

The bill having received the requisite constitutional majority was passed.

The following special orders were taken up on motion of Mr. Candler of DeKalb, to wit:

By Mr. Tyson of Emanuel—

A resolution to pay Geo. M. Brinson fifty dollars.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Atkinson of Morgan.

After a consideration of the bill the committee arose and through its chairman reported the same back to the House with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Burkhalter,	Flanders,
Adams of Elbert,	Butt,	Flannigan,
Adams of Wilkinson,	Callaway,	Foster,
Adkins,	Candler,	Fowler,
Alexander,	Chamlee,	Frier,
Allen,	Clark,	Glenn,
Anderson of Bulloch,	Collum,	Godley,
Anderson of Cobb,	Cook of Chat'hoochee,	Goode,
Arnold,	Cooke of Thomas,	Guyton,
Atkinson,	Covington,	Hall,
Austin,	Couch,	Hardeman,
Ballard,	Crawford,	Harris,
Barksdale,	Davison,	Haywood,
Barrett,	Dean,	Heard,
Barrow,	Donalson,	Hill,
Bell,	Dorminy,	Hines,
Berry,	Dunbar,	Hubbard,
Blackburn,	Duggan,	Huff,
Bond,	Eaves,	Huie,
Bowen,	Edmondson,	Hullender,
Boyd,	Edwards,	Johnson of Jasper,
Brown of Oglethorpe,	Ellison,	Johnson of Towns,
Buchannon,	Fagan,	Keith,

Kendall,	Orr,	Sumner,
Kendrick,	Parker,	Swilling,
Lumsden,	Parrish,	Taylor of Sumter,
Lunsford,	Payton,	Thorne,
MacFarland,	Pope of Brooks,	Tift,
McCarthy,	Pope of Dade,	Tracy,
McIntyre,	Price of Oconee,	Trent,
McMahan,	Reid of Macon,	Tuggle,
McMichael,	Reid of Putnam,	Tyson,
McMullan,	Reid of Wilcox,	Walker of Wash'ton,
Martin,	Rogers,	Ward,
Maxwell,	Rountree,	Warnell,
Mays,	Russell,	Watkins,
Mercer,	Ryals,	White of Screven,
Moore,	Slade,	Wilson,
Nix,	Slater,	Wynne,
Nowell,	Stewart,	Young,
Odum,		

Those not voting were Messrs.—

Ashley,	Hamilton,	Simmons,
Atwater,	Holder,	Smith of Calhoun,
Brown of Carroll,	Howard,	Smith of Campbell,
Burwell,	Jackson,	Stephens,
Calbeck,	Johnson of Jeff Davis,	Strickland,
Cannon,	Jones of Meriwether,	Stubbs,
Clifton,	Jones of Mitchell,	Taylor of Appling,
Cook of Telfair,	Lee,	Terrell,
Cowan,	Lively,	Thurman,
Crumbley,	Matthews,	Townsend,
Culbreth,	McWilliams,	Walker of Lowndes,
Daniel,	Massengale,	Walker of Milton,
Davis,	Morris,	White of Madison,
Dickey,	Mundy,	Whitley,
Dykes,	Perry,	Williams,
Estes,	Persons,	Wise,
Fraser,	Peterson,	Wooten,
Fullbright,	Powell,	Wright of Floyd,
Furr,	Price of Bartow,	Wright of Richmond,
Geer,	Shaw,	Mr. Speaker.
Gibson,	Sheffield,	

By unanimous consent, the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 121, nays 0.

The bill having received the requisite constitutional majority was passed.

By unanimous consent Senate bills for first reading were set for a special order for 4:30 o'clock this afternoon.

By Mr. Hines of Baldwin—

A bill to appropriate \$15,000 for 1908 and \$30,000 for 1909 for the support and maintenance of the State Sanitarium.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Wilson of Gwinnett.

After consideration of the bill the committee arose, and through its chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Ballard,	Boyd,
Adkins,	Barksdale,	Brown of Oglethorpe,
Alexander,	Barrett,	Buchannon,
Allen,	Barrow,	Burkhalter,
Anderson of Bulloch,	Bell,	Butt,
Anderson of Cobb,	Berry,	Calbeck,
Ashley,	Blackburn,	Callaway,
Atkinson,	Bond,	Candler,
Austin,	Bowen,	Cannon,

Chamlee,	Haywood,	Payton,
Clark,	Heard,	Pope of Brooks,
Clifton,	Hill,	Pope of Dade,
Collum,	Hines,	Reid of Macon,
Cook of Chat'hoochee,	Holder,	Reid of Putnam,
Cooke of Thomas,	Howard,	Reid of Wilcox,
Covington,	Hubbard,	Rogers,
Couch,	Huff,	Rountree,
Cowan,	Huie,	Russell,
Crawford,	Hullender,	Ryals,
Daniel,	Jackson,	Shaw,
Dean,	Johnson of Towns,	Sheffield,
Dorminy,	Jones of Meriwether,	Simmons,
Dunbar,	Jones of Mitchell,	Slade,
Duggan,	Keith,	Slater,
Dykes,	Kendall,	Stewart,
Eaves,	Kendrick,	Strickland,
Edmondson,	Lumsden,	Stubbs,
Ellison,	Lunsford,	Taylor of Sumter,
Estes,	MacFarland,	Terrell,
Flanders,	McIntyre,	Thorne,
Flannigan,	McMahan,	Tift,
Foster,	McMichael,	Tracy,
Fowler,	McMullan,	Tuggle,
Frier,	Martin,	Walker of Lowndes,
Furr,	Maxwell,	Walker of Wash'ton,
Geer,	Mays,	Ward,
Glenn,	Moore,	Watkins,
Godley,	Nix,	Wilson,
Goode,	Nowell,	Wright of Floyd,
Guyton,	Odum,	Wright of Richmond,
Hardeman,	Orr,	Wynne,
Harris,	Parrish,	Young,

Those voting in the negative were Messrs.—

Fagan,	Trent,	Tyson,
Hall,		

Those not voting were Messrs.—

Adams of Chatham,	Atwater,	Cook of Telfair,
Adams of Wilkinson,	Brown of Carroll,	Crumbley,
Arnold,	Burwell,	Culbreth,



Davis,	McWilliams,	Sumner,
Davison,	Massengale,	Swilling,
Dickey,	Mercer,	Taylor of Appling,
Donalson,	Morris,	Thurman,
Edwards,	Mundy,	Townsend,
Fraser,	Parker,	Walker of Milton,
Fullbright,	Perry,	Warnell,
Gibson,	Persons,	White of Madison,
Hamilton,	Peterson,	White of Screven,
Johnson of Jasper,	Powell,	Whitley,
Johnson of Jeff Davis,	Price of Bartow,	Williams,
Lee,	Price of Oconee,	Wise,
Lively,	Smith of Calhoun,	Wootten,
Matthews,	Smith of Campbell,	Mr. Speaker.
McCarthy,	Stephens,	

By unanimous consent the verification of the roll-call was dispensed with.

On the passage of the bill the ayes were 126, nays 4.

The bill having received the requisite constitutional majority was passed.

The following resolutions were read and tabled, on motion of Mr. Candler of DeKalb, to wit:

By Mr. Crawford of Bartow—

A resolution providing for an investigation of the charge of poker playing against certain members.

The next special order was as follows, to wit:

By Messrs. Blackburn and Bell—

A bill to appropriate \$7,500 for the support and maintenance of the State Board of Health.

The committee proposed to amend by striking “\$7,500” and inserting the figures “\$5,000.”

The amendment was adopted.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Donalson of Decatur.

After a consideration of the bill the committee arose and through its chairman reported the same back to the House with the recommendation that it do pass as amended.

The report of the committee was agreed to.

On the passage of the bills the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Chamlee,	Glenn,
Adams of Wilkinson,	Clark,	Godley,
Adkins,	Clifton,	Goode,
Alexander,	Collum,	Guyton,
Allen,	Cook of Chat'hoochee,	Hall,
Anderson of Cobb,	Cooke of Thomas,	Hardeman,
Arnold,	Couch,	Harris,
Atkinson,	Cowan,	Heard,
Austin,	Crawford,	Hill,
Ballard,	Daniel,	Hines,
Barksdale,	Donalson,	Howard,
Barrow,	Dorminy,	Hubbard,
Bell,	Dunbar,	Huff,
Berry,	Duggan,	Huie,
Blackburn,	Dykes,	Jackson,
Bond,	Edmondson,	Johnson of Jasper,
Boyd,	Estes,	Johnson of Towns,
Brown of Carroll,	Fagan,	Jones of Meriwether,
Brown of Oglethorpe,	Flanders,	Jones of Mitchell,
Buchannon,	Flannigan,	Keith,
Burkhalter,	Foster,	Kendall,
Butt,	Fowler,	Kendrick,
Calbeck,	Frier,	Lumsden,
Callaway,	Furr,	MacFarland,
Cannon,	Geer,	McCarthy,

McIntyre,	Rogers,	Tift,
McMahan,	Rountree,	Townsend,
McMichael,	Russell,	Tracy,
McMullan,	Ryals,	Trent,
Martin,	Sheffield,	Tuggle,
Maxwell,	Simmons,	Tyson,
Mays,	Slade,	Walker of Milton,
Moore,	Slater,	Walker of Wash'ton,
Nowell,	Stewart,	Ward,
Orr,	Strickland,	Warnell,
Parrish,	Stubbs,	Watkins,
Persons,	Swilling,	Whitley,
Pope of Brooks,	Taylor of Sumter,	Wilson,
Pope of Dade,	Terrell,	Wright of Richmond,
Powell,	Thorne,	Wynne,
Price of Oconee,	Thurman,	Young,
Reid of Putnam,		

Those not voting were Messrs.—

Adams of Elbert,	Fullbright,	Perry,
Anderson of Bulloch,	Gibson,	Peterson,
Ashley,	Hamilton,	Price of Bartow,
Atwater,	Haywood,	Reid of Macon,
Barrett,	Holder,	Reid of Wilcox,
Bowen,	Hullender,	Shaw,
Burwell,	Johnson of Jeff Davis,	Smith of Calhoun,
Candler,	Lee,	Smith of Campbell,
Cook of Telfair,	Lively,	Stephens,
Covington,	Lunsford,	Sumner,
Crumbley,	Matthews,	Taylor of Appling,
Culbreth,	McWilliams,	Walker of Lowndes,
Davis,	Massengale,	White of Madison,
Davison,	Mercer,	White of Screven,
Dean,	Morris,	Williams,
Dickey,	Mundy,	Wise,
Eaves,	Nix,	Wootten,
Edwards,	Odum,	Wright of Floyd,
Ellison,	Parker,	Mr. Speaker.
Fraser,	Payton,	

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 124, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The House disagreed to the Senate substitute of the following House bill, to wit:

By Mr. Tift of Dougherty—

A bill to require all railway companies to equip their locomotives with electric headlights.

The following resolution was read, to wit:

By Mr. Jones of Mitchell—

A resolution instructing the Committee on Rules to meet at once and report House resolution No. 214 as a special order for 3 o'clock this afternoon.

The instructions were adopted and the resolution was referred to Committee on Rules.

The following message was received from the Senate, through Mr. Northen, the Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bill of the Senate, to wit:

A bill to add Homerville to the list of State depositories.

The next special order was as follows:

By Messrs. Burkhalter and Warnell—

A bill relating to grants of letters of administration

upon estate of persons presumed to be dead by reason of long absence from their former domicile.

The committee proposed to amend section 4 by adding at the end thereof the words, "to which the holder of said title was a party."

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 87, nays 9.

The bill having failed to receive the requisite constitutional majority was lost.

The following bill, which was made a special order, was again read and put upon its passage, to wit:

By Messrs. Slade, Russell and McMahan—

A bill to exempt police and firemen of cities from the general exclusion of free passes.

The amendments to the above bill were adopted on August 8th.

The report of the committee was also agreed to on August 8th.

The bill, which was reconsidered this morning, was again put upon its passage.

On the passage of the bill the ayes and nays were ordered and the vote was as follows :

Those voting the affirmative were Messrs.—

Adams of Elbert,  
Adams of Wilkinson,

Alexander,  
Allen,

Anderson of Bulloch,  
Anderson of Cobb,

Atkinson,	Foster,	Parker,
Austin,	Fowler,	Parrish,
Barksdale,	Frier,	Persons,
Barrett,	Furr,	Pope of Brooks,
Barrow,	Geer,	Pope of Dade,
Bell,	Gibson,	Powell,
Berry,	Glenn,	Price of Bartow,
Blackburn,	Godley,	Price of Oconee,
Bond,	Goode,	Reid of Macon,
Bowen,	Harris,	Reid of Putnam,
Boyd,	Haywood,	Reid of Wilcox,
Brown of Oglethorpe.	Heard,	Rogers,
Buchannon,	Hill,	Russell,
Burkhalter,	Hines,	Ryals,
Butt,	Holder,	Sheffield,
Calbeck,	Howard,	Simmons,
Callaway,	Hubbard,	Slade,
Cannon,	Huff,	Slater,
Chamlee,	Huie,	Stewart,
Clark,	Hullender,	Strickland,
Clifton,	Jackson,	Sumner,
Collum,	Johnson of Jasper,	Swilling,
Cook of Chat'hoochee,	Johnson of Towns,	Taylor of Sumter,
Cooke of Thomas,	Jones of Meriwether,	Terrell,
Covington,	Jones of Mitchell,	Thorne,
Couch,	Kendall,	Thurman,
Cowan,	Kendrick,	Tift,
Culbreth,	Lumsden,	Townsend,
Daniel,	Lunsford,	Tracy,
Davison,	McCarthy,	Trent,
Dean,	McIntyre,	Tyson,
Donalson,	McMahan,	Walker of Lowndes,
Dorminy,	McMichael,	Walker of Wash'ton,
Dunbar,	McMullan,	Ward,
Duggan,	McWilliams,	Warnell,
Dykes,	Martin,	Watkins,
Eaves,	Maxwell,	Whitley,
Edmondson,	Mays,	Wilson,
Edwards,	Moore,	Wright of Floyd,
Ellison,	Nix,	Wright of Richmond,
Flannigan,	Orr,	Wynne,

Those voting in the negative were Messrs.—

Adams of Chatham,	Brown of Carroll,	Fagan,
Adkins,	Crawford,	Guyton,

Hall,	Johnson of Jeff Davis,	Williams,
Hardeman,	Perry,	Young,

Those not voting were Messrs.—

Arnold,	Hamilton,	Rountree,
Ashley,	Keith,	Shaw,
Atwater,	Lee,	Smith of Calhoun,
Ballard,	Lively,	Smith of Campbell,
Burwell,	Matthews,	Stephens,
Candler,	MacFarland,	Stubbs,
Cook of Telfair,	Massengale,	Taylor of Appling,
Crumbley,	Mercer,	Tuggle,
Davis,	Morris,	Walker of Milton,
Dickey,	Mundy,	White of Madison,
Estes,	Nowell,	White of Screven,
Flanders,	Odum,	Wise,
Fraser,	Payton,	Wooten,
Fullbright,	Peterson,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 129, nays 12.

The bill having received the requisite constitutional majority was passed as amended.

On motion of Mr. Alexander, the session was extended thirty minutes for the purpose of passing on special pension resolutions.

The following resolutions were read and adopted with instructions, to wit:

By Mr. Townsend—

A resolution to make House bill No. 475 the special order to follow House resolution No. 214.

By Mr. Perry—

A resolution to make House bill 73 the special order for today.

The following resolution was read and laid on the table for one day, to wit:

By Mr. Alexander—

A resolution to have 500 copies of the report of the committee to investigate the Prison Commission printed.

On motion of Mr. Burkhalter, the House reconsidered its action in not passing House bill No. 377.

Mr. Candler, chairman of the committee on the part of the House to investigate the Prison Commission, submitted the following report:

*Mr President and Mr. Speaker.*

The committee appointed by the Senate and House, under Senate resolution No. 37, to investigate and report to the General Assembly upon the convict system of the State, instruct us at this time to report that they are unable to complete their labors and make a satisfactory report at the present session of the General Assembly.

The committee promptly organized and at once entered upon their duties and have worked day and night in the taking of testimony and otherwise performing the duties placed upon them by the resolution. A fair and impartial hearing requires that additional evidence should be taken upon some of the charges which have been made before the Committee, and also that time should be given for the completion of the audit of the books of the prison department, which audit has not yet been



completed. The committee deems it of the utmost importance that the investigation should be exhaustive, and the findings of the committee should only be made after a study of the evidence and mature deliberation.

The committee, therefore, recommends that they be allowed to sit in vacation for such a length of time as they may think advisable to further continue the investigation under the powers of the original resolution, and that all of the evidence taken, and the report of the committee, be filed with the Governor, with the request that the same be laid before the next session of the General Assembly, and in the meantime that the Governor be requested to take such immediate action upon the filing of said report with him as he may deem advisable.

Respectfully submitted.

T. S. FELDER,  
Chairman on the part of the Senate.

C. M. CANDLER,  
Chairman on part of the House.

The hour of adjournment having arrived the following pension resolutions were read the third time and put upon their passage, to wit:

By Mr. Blackburn—

A resolution to pay the pension due Mrs. N. M. Donohoo to Mrs. Tallulah Towns.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Crawford of Bartow.

After a consideration of the resolution the committee

arose and reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adkins,	Ellison,	Orr,
Alexander,	Fagan,	Parrish,
Anderson of Bulloch,	Flanders,	Persons,
Atkinson,	Foster,	Pope of Dade,
Austin,	Glenn,	Powell,
Ballard,	Godley,	Price of Bartow,
Barksdale,	Goode,	Rogers,
Barrett,	Guyton,	Rountree,
Barrow,	Hardeman,	Ryals,
Berry,	Harris,	Simmons,
Blackburn,	Haywood,	Slade,
Bond,	Hines,	Slater,
Brown of Oglethorpe,	Holder,	Stewart,
Buchannon,	Howard,	Sumner,
Burkhalter,	Hubbard,	Swilling,
Calbeck,	Huff,	Taylor of Sumter,
Candler,	Huie,	Thorne,
Cannon,	Hullender,	Thurman,
Chamlee,	Johnson of Jeff Davis,	Townsend,
Clark,	Johnson of Towns,	Tracy,
Clifton,	Jones of Meriwether,	Tuggle,
Cook of Chat'hoochee,	Jones of Mitchell,	Tyson,
Cooke of Thomas,	Keith,	Walker of Wash'ton,
Covington,	Kendall,	Warnell,
Couch,	Kendrick,	Watkins,
Crawford,	MacFarland,	White of Screven,
Daniel,	McCarthy,	Whitley,
Davison,	McMahan,	Williams,
Dickey,	McMichael,	Wilson,
Dorminy,	McWilliams,	Wright of Floyd,
Dunbar,	Martin,	Wright of Richmond,
Eaves,	Moore,	Wynne,
Edmondson,	Nix,	Young,

Those not voting were Messrs.—

Adams of Chatham,	Fowler,	Parker,
Adams of Elbert,	Fraser,	Payton,
Adams of Wilkinson,	Frier,	Perry,
Allen,	Fullbright,	Peterson,
Anderson of Cobb,	Furr,	Pope of Brooks,
Arnold,	Geer,	Price of Oconee,
Ashley,	Gibson,	Reid of Macon,
Atwater,	Hall,	Reid of Putnam,
Bell,	Hamilton,	Reid of Wilcox,
Bowen,	Heard,	Russell,
Boyd,	Hill,	Shaw,
Brown of Carroll,	Jackson,	Sheffield,
Burwell,	Johnson of Jasper,	Smith of Callhoun,
Butt,	Lee,	Smith of Campbell,
Callaway,	Lively,	Stephens,
Collum,	Lumsden,	Strickland,
Cook of Telfair,	Lunsford,	Stubbs,
Cowan,	Matthews,	Taylor of Appling,
Crumbley,	McIntyre,	Terrell,
Culbreth,	McMullan,	Tift,
Davis,	Massengale,	Trent,
Dean,	Maxwell,	Walker of Lowndes,
Donalson,	Mays,	Walker of Milton,
Duggan,	Mercer,	Ward,
Dykes,	Morris,	White of Madison,
Edwards,	Mundy,	Wise,
Estes,	Nowell,	Wootten,
Flannigan,	Odum,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 99, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Goode of Pickens—

A resolution to pay Mrs. Mary Blackstock a pension for 1908.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Wright of Floyd.

After a consideration of the resolution the committee arose and through their chairman reported the same back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered and on taking the ballot viva voce the vote was as follows:

The roll call was had but before the vote was announced the author moved to table the resolution, which motion prevailed.

By unanimous consent, Mr. Tyson was allowed to withdraw his notice of reconsideration of House bill 860.

Leave of absence was granted Mr. Fullbright.

On motion of Mr. Martin of Elbert, the Speaker announced the House adjourned until 3 o'clock this afternoon.

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3 O'clock P.M.

The House reconvened at this hour and was called to order by the Speaker.

Mr Jackson of Jones moved to dispense with the roll call and no quorum having voted, the Speaker directed

a call of the roll to ascertain if a quorum be present, and the following members answered to their names :

Adams of Chatham,	Cowan,	Holder,
Adams of Elbert,	Crawford,	Howard,
Adams of Wilkinson,	Crumbley,	Hubbard,
Adkins,	Culbreth,	Huff,
Alexander,	Daniel,	Huie,
Allen,	Davis,	Hullender,
Anderson of Bulloch,	Davison,	Jackson,
Anderson of Cobb,	Dean,	Johnson of Jasper,
Arnold,	Dickey,	Johnson of Jeff Davis,
Ashley,	Donalson,	Johnson of Towns,
Atkinson,	Dorminy,	Jones of Meriwether,
Atwater,	Dunbar,	Jones of Mitchell,
Austin,	Duggan,	Keith,
Ballard,	Dykes,	Kendall,
Barksdale,	Eaves,	Kendrick,
Barrett,	Edmondson,	Lee,
Barrow,	Edwards,	Lively,
Bell,	Ellison,	Lumsden,
Berry,	Estes,	Lunsford,
Blackburn,	Fagan,	Matthews,
Bond,	Flanders,	MacFarland,
Bowen,	Flannigan,	McCarthy,
Boyd,	Foster,	McIntyre,
Brown of Carroll,	Fowler,	McMahan,
Brown of Oglethorpe.	Fraser,	McMichael,
Buchannon,	Frier,	McMullan,
Burkhalter,	Fullbright,	McWilliams,
Burwell,	Furr,	Martin,
Butt,	Geer,	Massengale,
Calbeck,	Gibson,	Maxwell,
Callaway,	Glenn,	Mays,
Candler,	Godley,	Mercer,
Cannon,	Gode,	Moore,
Chamlee,	Guyton,	Morris,
Clark,	Hall,	Mundy,
Clifton,	Hamilton,	Nix,
Collum,	Hardeman,	Nowell,
Cook of Chat'hoochee,	Harris,	Odum,
Cook of Telfair,	Haywood,	Orr,
Cooke of Thomas,	Heard,	Parker,
Covington,	Hill,	Parrish,
Couch,	Hines,	Payton,

Perry,	Slater,	Tyson,
Persons,	Smith of Calhoun,	Walker of Lowndes,
Peterson,	Smith of Campbell,	Walker of Milton,
Pope of Brooks,	Stephens,	Walker of Wash'ton,
Pope of Dade,	Stewart,	Ward,
Powell,	Strickland,	Warnell,
Price of Bartow,	Stubbs,	Watkins,
Price of Oconee,	Sumner,	White of Madison,
Reid of Macon,	Swilling,	White of Screven,
Reid of Putnam,	Taylor of Appling,	Whitley,
Reid of Wilcox,	Taylor of Sumter,	Williams,
Rogers,	Terrell,	Wilson,
Rountree,	Thorne,	Wise,
Russell,	Thurman,	Wootten,
Ryals,	Tift,	Wright of Floyd,
Shaw,	Townsend,	Wright of Richmond,
Sheffield,	Tracy,	Wynne,
Simmons,	Trent,	Young,
Slade,	Tuggle,	Mr. Speaker.

On motion of Mr. Goode of Pickens, the following resolution and the aye and nay vote thereon was taken from the table and the Speaker asked unanimous consent that the aye and nay vote be had again inasmuch as there was no quorum voting on the resolution when the same was up for passage this morning, which was granted. The resolution was as follows:

By Mr. Goode of Pickens—

A resolution to pay Mrs. Mary Blackstock a pension for 1908.

The ayes and nays were again called and the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Adkins,	Anderson of Cobb,
Adams of Elbert,	Alexander,	Arnold,
Adams of Wilkinson,	Anderson of Bulloch,	Atkinson,

Austin,	Flannigan,	Mundy,
Ballard,	Foster,	Nix,
Barksdale,	Fowler,	Odum,
Barrett,	Frier,	Orr,
Bell,	Furr,	Parker,
Berry,	Geer,	Parrish,
Blackburn,	Glenn,	Pope of Brooks,
Bond,	Godley,	Pope of Dade,
Bowen,	Goode,	Powell,
Boyd,	Guyton,	Reid of Macon,
Brown of Oglethorpe,	Hardeman,	Reid of Putnam,
Buchannon,	Harris,	Reid of Wilcox,
Burkhalter,	Haywood,	Rogers,
Calbeck,	Heard,	Rountree,
Candler,	Hill,	Ryals,
Cannon,	Holder,	Slade,
Chamlee,	Hubbard,	Slater,
Clark,	Huff,	Stewart,
Clifton,	Huie,	Stubbs,
Collum,	Hullender,	Sumner,
Cook of Chat'hoochee,	Jackson,	Swilling,
Cooke of Thomas,	Johnson of Jeff Davis,	Taylor of Sumter,
Covington,	Johnson of Towns,	Terrell,
Couch,	Jones of Meriwether,	Thorne,
Cowan,	Jones of Mitchell,	Townsend,
Daniel,	Kendall,	Tracy,
Dickey,	Kendrick,	Trent,
Donalson,	Lumsden,	Walker of Wash'ton,
Dorminy,	Matthews,	Ward,
Dunbar,	MacFarland,	Warnell,
Duggan,	McCarthy,	Watkins,
Dykes,	McIntyre,	White of Madison,
Eaves,	McMahan,	White of Screven,
Edmondson,	McMullan,	Whitley,
Ellison,	Martin,	Wootten,
Estes,	Maxwell,	Wynne,
Fagan,	Mays,	Young,
Flanders,	Moore,	

Those not voting were Messrs.—

Allen,	Brown of Carroll,	Cook of Telfair,
Ashley,	Burwell,	Crawford,
Atwater,	Butt,	Crumbly,
Barrow,	Callaway,	Culbreth,

Davis,	McWilliams,	Smith of Campbell,
Davison,	Massengale,	Stephens,
Dean,	Mercer,	Strickland,
Edwards,	Morris,	Taylor of Appling,
Fraser,	Nowell,	Thurman,
Fullbright,	Payton,	Tift,
Gibson,	Perry,	Tuggle,
Hall,	Persons,	Tyson,
Hamilton,	Peterson,	Walker of Lowndes,
Hines,	Price of Bartow,	Walker of Milton,
Howard,	Price of Oconee,	Williams,
Johnson of Jasper,	Russell,	Wilson,
Keith,	Shaw,	Wise,
Lee,	Sheffield,	Wright of Floyd,
Lively,	Simmons,	Wright of Richmond,
Lunsford,	Smith of Calhoun,	Mr. Speaker.
McMichael,		

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the resolution the ayes were 122, nays 0.

The resolution having received the requisite constitutional majority was passed.

The following resolution was read and adopted, to wit:

By Mr. Hall of Bibb—

A resolution to fix House bill No. 16 as a special order and instructing the Committee on Rules to give same precedence over all other special orders.

By Mr. Burkhalter—

A resolution to fix House bill No. 377 as a special order and instructing the committee to fix it so that it will come up today for passage.



By Mr. Swilling—

A resolution instructing the Committee on Rules to fix House bill 726 as a special order and report on same at once.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Wright of Richmond and Perry of Hall—

A resolution to fix House bill No. 19 as a special order immediately after special orders already set.

The instructions were lost.

By unanimous consent the session this afternoon was extended from 5 to 6:30 o'clock for the purpose of further considering special pension resolutions.

The following bills were read the third time and put upon their passage, to wit:

By Mr. Jones of Mitchell—

A resolution to pay the pension due Mrs. Queen Shiver of Mitchell county.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. McWilliams.

After a consideration of the resolution the committee arose and reported the resolution back with the recommendation that it do pass.

The report of the committee was agreed to.

On the passage of the resolution the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Duggan,	McIntyre,
Adams of Elbert,	Dykes,	McMahan,
Adams of Wilkinson,	Eaves,	McMichael,
Adkins,	Edmondson,	McMullan,
Alexander,	Edwards,	McWilliams,
Anderson of Cobb,	Ellison,	Martin,
Arnold,	Estes,	Mays,
Austin,	Fagan,	Moore,
Ballard,	Flannigan,	Mundy,
Barksdale,	Foster,	Nix,
Barrett,	Fowler,	Nowell,
Barrow,	Frier,	Orr,
Bell,	Furr,	Parrish,
Berry,	Glenn,	Payton,
Blackburn,	Godley,	Persons,
Bond,	Goode,	Pope of Brooks,
Bowen,	Guyton,	Pope of Dade,
Boyd,	Hardeman,	Powell,
Brown of Oglethorpe,	Harris,	Price of Bartow,
Buchannon,	Haywood,	Reid of Putnam,
Burkhalter,	Hill,	Reid of Wilcox,
Calbeck,	Holder,	Rogers,
Callaway,	Howard,	Rountree,
Cannon,	Hubbard,	Ryals,
Chamlee,	Huff,	Slater,
Clark,	Huie,	Stubbs,
Clifton,	Hullender,	Sumner,
Collum,	Jackson,	Swilling,
Cook of Chat'hoochee,	Johnson of Jasper,	Taylor of Sumter,
Cooke of Thomas,	Johnson of Towns,	Thorne,
Covington,	Jones of Meriwether,	Thurman,
Couch,	Jones of Mitchell,	Townsend,
Cowan,	Keith,	Tracy,
Crawford,	Kendall,	Trent,
Culbreth,	Kendrick,	Tuggle,
Daniel,	Lumsden,	Walker of Wash'ton,
Davison,	Matthews,	Ward,
Dorminy,	MacFarland,	Warnell,
Dunbar,	McCarthy,	Watkins,

White of Madison,	Williams,	Wynne,
White of Screven,	Wilson,	Young,
Whitley,	Wright of Floyd,	

Those not voting were Messrs.—

Allen,	Hall,	Shaw,
Anderson of Bulloch,	Hamilton,	Sheffield,
Ashley,	Heard,	Simmons,
Atkinson,	Hines,	Slade,
Atwater,	Johnson of Jeff Davis,	Smith of Calhoun,
Brown of Carroll,	Lee,	Smith of Campbell,
Burwell,	Lively,	Stephens,
Butt,	Lunsford,	Stewart,
Candler,	Massengale,	Strickland,
Cook of Telfair,	Maxwell,	Taylor of Appling,
Crumbley,	Mercer,	Terrell,
Davis,	Morris,	Tift,
Dean,	Odum,	Tyson,
Dickey,	Parker,	Walker of Lowndes,
Donalson,	Perry,	Walker of Milton,
Flanders,	Peterson,	Wise,
Fraser,	Price of Oconee,	Wootten,
Fullbright,	Reid of Macon,	Wright of Richmond,
Geer,	Russell,	Mr. Speaker.
Gibson,		

By unanimous consent the verification of the roll **call** was dispensed with.

On the passage of the resolution the ayes were **125**, nays **0**.

The resolution having received the requisite constitutional majority was passed.

The following message was received from the **Senate**, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bill of the Senate, to wit:

A bill to amend the primary election laws of Georgia.

Mr. Hall of Bibb, chairman of the Committee on Rules, submitted the following report:

*Mr. Speaker:*

Committee on Rules had under consideration House resolution 339, make a special order House bill No. 16, and acting under instructions of the House report the same back, recommending that the same be adopted.

Also under consideration House resolution 333, and report the same back and recommend the same be adopted as instructed by the House. Also 334, and report the same back with recommendation that it be adopted as required by the House. Also 337, and report the same back as required by the House with a recommendation that it be adopted.

HALL, Vice-Chairman.

The following resolutions, favorably reported by the Committee on Rules, were read and adopted, to wit:

By Mr. Perry—

A resolution to make House bill 73 the special order for today

By Mr. Hall—

A resolution to make House bill 16 a special order.

By Mr. Jones of Mitchell—

A resolution to make House bill No. 214 the special order after roll call this afternoon.

By Mr. Townsend—

A resolution to make House bill 475 the special order to follow House bill No. 214.

By Mr. Barrow—

A resolution requesting the Committee on Banks and Banking to report on Senate bill No. 185.

The above resolution was tabled.

No quorum having voted on that part of the report of the Committee on Rules which refers to making House resolution No. 214 a special order, the Speaker ordered the roll to be called, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Cannon,	Lstes,
Adams of Elbert,	Chamlee,	Fagan,
Adams of Wilkinson,	Clark,	Flanders,
Adkins,	Clifton,	Flannigan,
Anderson of Cobb,	Collum,	Foster,
Arnold,	Cook of Chat'hoochee,	Fowler,
Ashley,	Cooke of Thomas,	Fraser,
Atkinson,	Couch,	Frier,
Austin,	Cowan,	Furr,
Ballard,	Crawford,	Geer,
Barksdale,	Daniel,	Gibson,
Barrett,	Davison,	Glenn,
Barrow,	Dickey,	Godley,
Bell,	Donalson,	Goode,
Berry,	Dorminy,	Guyton,
Bond,	Dunbar,	Hall,
Boyd,	Duggan,	Hardeman,
Brown of Oglethorpe,	Dykes,	Harris,
Buchannon,	Eaves,	Haywood,
Burkhalter,	Edmondson,	Heard,
Calbeck,	Edwards,	Hill,
Callaway,	Ellison,	Hines,

Holder,	Mays,	Sumner,
Hubbard,	Moore,	Swilling,
Huff,	Mundy,	Taylor of Sumter,
Huie,	Nix,	Terrell,
Hullender,	Nowell,	Thorne,
Johnson of Jasper,	Orr,	Thurman,
Johnson of Jeff Davis,	Parker,	Townsend,
Johnson of Towns,	Parrish,	Tracy,
Jones of Meriwether,	Payton,	Trent,
Jones of Mitchell,	Persons,	Tuggle,
Keith,	Peterson,	Walker of Wash'ton,
Kendall,	Pope of Brooks,	Ward,
Kendrick,	Pope of Dade,	Warnell,
Lumsden,	Powell,	Watkins,
Matthews,	Price of Bartow,	White of Madison,
MacFarland,	Reid of Macon,	White of Screven,
McCarthy,	Reid of Putnam,	Whitley,
McIntyre,	Rountree,	Williams,
McMahan,	Ryals,	Wilson,
McMichael,	Simmons,	Wootten,
McMullan,	Slade,	Wright of Floyd,
McWilliams,	Stewart,	Wynne,
Martin,	Strickland,	Young,
Maxwell,	Stubbs,	

Those voting in the negative were Messrs.—

Anderson of Bulloch,

Those not voting were Messrs.—

Alexander,	Fullbright,	Russell,
Allen,	Hamilton,	Shaw,
Atwater,	Howard,	Sheffield,
Blackburn,	Jackson,	Slater,
Bowen,	Lee,	Smith of Calhoun,
Brown of Carroll,	Lively,	Smith of Campbell,
Burwell,	Lunsford,	Stephens,
Butt,	Massengale,	Taylor of Appling,
Candler,	Mercer,	Tift,
Cook of Telfair,	Morris,	Tyson,
Covington,	Odum,	Walker of Lowndes,
Crumbly,	Perry,	Walker of Milton,
Culbreth,	Price of Oconee,	Wise,
Davis,	Reid of Wilcox,	Wright of Richmond,
Dean,	Rogers,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the adoption of the report of the committee the ayes were 137, nays 1.

The report was therefore adopted.

The following message was received from the Senate, through Mr. Northen, the Secretary thereof:

*Mr Speaker:*

The Senate has passed by the requisite constitutional majority, the following bill of the Senate, to wit:

A bill to amend section 2060 of the Code of 1895.

The following bill was read the third time and put upon its passage, the same having been set as a special order by the Committee on Rules, to wit:

By Mr. Hall of Bibb—

A bill to provide for the assessment of property in this State, of which the owners are required by law to make returns to the Comptroller-General, and for other purposes.

An appropriation being involved, the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Adams of Chatham.

After a consideration of the bill the committee arose and through its chairman reported the bill back to the House with the recommendation that it be tabled.

The report of the committee was agreed to and the bill was tabled.

By unanimous consent the following resolution was read and adopted, to wit:

By Mr. Candler of DeKalb—

A resolution authorizing the joint committee to investigate the charges made against the prison department to sit after the adjournment of the Legislature and complete its investigations, and for other purposes.

Mr. McFarland proposed to amend by adding the following:

*“Resolved further, That the members of said committee during their sittings in vacation be paid regular per diem and actual traveling expenses incurred while in the discharge of their duties.”*

The amendment was adopted.

The following Senate bills, which were made the special orders for this time, were read the first time, to wit:

By Mr. Hawes of 30th district—

A bill to incorporate the city of Union City.

Referred to Committee on Corporations.

By Mr. Deen of 5th district—

A bill to amend section 2060 of the Code of 1895.

Referred to General Judiciary Committee.



By Mr. Stephens of 1st district—

A bill to authorize the municipal authorities of **any** city to establish and maintain farm or other place of confinement for misdemeanor convicts.

Referred to General Judiciary Committee.

By Mr. Martin of 43d district—

A bill to amend the registration laws of Georgia.

Referred to General Judiciary Committee.

By Mr. Bush of 8th district—

A bill to amend an Act to incorporate the city of Colquitt.

Referred to Committee on Corporations.

By Mr. Stephens—

A bill to extend time for completion of Savannah, Statesboro & Western Railroad.

Referred to Special Judiciary Committee.

By Mr. Martin of 43d district—

A bill to amend the primary election laws of Georgia.

Referred to General Judiciary Committee.

By Messrs. Martin and Felder—

A resolution requesting aid of the House in consideration of pension bill.

Tabled.

By Mr. Mattox of 4th district—

A bill to amend section 982, volume 2 of the Code so as to make Homerville a State depository.

Referred to Committee on Banks and Banking.

By Mr. Camp of 31st district—

A bill to authorize the Governor to purchase a tract of land in Chattanooga for a terminal station for the W & A. Railroad.

Referred to Committee on W & A. Railroad.

The following Senate bills were read the second time and recommitted, to wit:

By Mr. Henderson of 39th district—

A bill to extend the present school book contract until January 1, 1911.

By Mr. Williford of 28th district—

A bill to regulate the number of hours work of certain telegraph and telephone operators.

The following resolution was read the third time and put upon its passage, to-wit:

By Mr. Edmondson of Chattooga—

A resolution to pay a pension to Mrs. Eliza Lee.

An appropriation being involved the Speaker resolved the House into a committee of the whole and designated as chairman Mr. Nowell of Monroe.

After a consideration of the bill the committee arose and reported the resolution back with the recommendation that it do pass.

The report of the committee was agreed to.

The ayes and nays were called but before the vote could be announced Mr. Thurman moved that the resolution be tabled, which motion prevailed.

The House concurred in the following Senate amendments to the following bill, to wit:

By Mr. Strickland of Pike—

A bill to establish the city court of Barnesville.

Senate amendment No. 1:

To amend section 4 by striking out all of the last sentence of the said section, to-wit: "The first election of said judge shall be held on Saturday before the first Monday in October, 1907, and shall hold his office until the general State election in October, 1908, when there shall be another election for judge, who shall then hold office for four years, until the next regular State election in October, 1912, and so on every four, and insert in lieu thereof the following:

"The first election for said judge shall be held in October, 1908, at the same time and place and manner of the general State election and rules regulating the same, and every four years thereafter." Also,

Amendment No. 2:

To amend section 25 of the bill by inserting between

the word "bond" and "to," in line 12, the following: "Provided further, that every defendant in a criminal case in said court may waive in writing his right to be tried by a jury and consent to a trial by the judge of said court without a jury at any time."

Amendment No. 3:

To amend section 4 by inserting between the words, "shall" and "by," in line four, the word "fill."

The House proposed to amend Senate amendment No. 3 to section 25 by adding the following proviso at the end of said section: "Provided further, that the solicitor may draw an accusation based upon affidavit of prosecution and try same in city court without commitment unless defendant demands committal trial within five days after his arrest."

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker.*

Your Committee on Counties and County Matters has had under consideration Senate bills Nos. 230 and 241 and recommend that the same do pass.

ERLE M. DONALSON, Chairman.

Mr. Nowell, chairman of Committee on Corporations, submitted the following report:

*Mr. Speaker.*

Your Committee on Corporations has had under consideration the following Senate bills and direct me as

their chairman to report same back with the following recommendation, to-wit:

SENATE BILLS DO PASS.

An Act to create a new charter for the town of Buckhead, Morgan county.

An Act to amend the charter of the city of Dalton

DO PASS AS AMENDED.

An Act to amend the charter of the city of Dalton, and for other purposes.

Respectfully,

HAL G. NOWELL, Chairman.

The undersigned members of the conference committee on House bill No. 1, submitted the following report:

*Mr Speaker:*

Your committee appointed to confer with a committee from the Senate in reference to the Senate amendments to House bill No. 1, beg leave to report that they met and agreed with the Senate committee upon a substitute bill, but that after said bill was prepared the Senate committee changed their minds and declined to agree thereto. Your committee is of opinion that it can not agree with the views of the Senate committee and therefore ask to be discharged from further consideration of the bill.

SEABORN WRIGHT,  
W A. COVINGTON,  
HOOPER ALEXANDER.

The following Senate bills were read the second time, to wit:

By Mr. Hudson of 25th district—

A bill to require a tax on all persons taking or soliciting orders for pictures in the county of Harris.

By Mr. Williford of 28th district—

A bill to create a new charter for the town of Buckhead.

By Mr. Henderson of 39th district—

A bill to authorize an election to be held in the town of Cumming to order the issuance of bonds for school purposes.

The order of business having been completed, the Speaker announced the House adjourned until 9 o'clock tomorrow morning.

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ATLANTA, GA.,

Tuesday, August 11, 1908.

The House met pursuant to adjournment at 9 o'clock a.m. this day; was called to order by the Speaker and opened with prayer by the Chaplain.

The roll was called and the following members answered to their names:

Adams of Chatham,	Adams of Wilkinson	Alexander,
Adams of Elbert,	Adkins,	Allen,

Anderson of Bulloch,	Donalson,	Keith,
Anderson of Cobb,	Dorminy,	Kendall,
Arnold,	Dunbar,	Kendrick,
Ashley,	Duggan,	Lee,
Atkinson,	Dykes,	Lively,
Atwater,	Eaves,	Lumsden,
Austin,	Edmondson,	Lunsford,
Ballard,	Edwards,	Matthews,
Barksdale,	Ellison,	MacFarland,
Barrett,	Estes,	McCarthy,
Barrow,	Fagan,	McIntyre,
Bell,	Flanders,	McMahan,
Berry,	Flannigan,	McMichael,
Blackburn,	Foster,	McMullan,
Bond,	Fowler,	McWilliams,
Bowen,	Fraser,	Martin,
Boyd,	Frier,	Massengale,
Brown of Carroll,	Fullbright,	Maxwell,
Brown of Oglethorpe,	Furr,	Mays,
Buchannon,	Geer,	Mercer,
Burkhalter,	Gibson,	Moore,
Burwell,	Glenn,	Morris,
Butt,	Godley,	Mundy,
Calbeck,	Goode,	Nix,
Callaway,	Guyton,	Nowell,
Candler,	Hall,	Odum,
Cannon,	Hamilton,	Orr,
Chamlee,	Hardeman,	Parker,
Clark,	Harris,	Parrish,
Clifton,	Haywood,	Payton,
Collum,	Heard,	Perry,
Cook of Chat'hoochee,	Hill,	Persons,
Cook of Telfair,	Hines,	Peterson,
Cooke of Thomas,	Holder,	Pope of Brooks,
Covington,	Howard,	Pope of Dade,
Couch,	Hubbard,	Powell,
Cowan,	Huff,	Price of Bartow,
Crawford,	Huie,	Price of Oconee,
Crumbley,	Hullender,	Reid of Macon,
Culbreth,	Jackson,	Reid of Putnam,
Daniel,	Johnson of Jasper,	Reid of Wilcox,
Davis,	Johnson of Jeff Davis,	Rogers,
Davison,	Johnson of Towns,	Rountree,
Dean,	Jones of Meriwether,	Russell
Dickey,	Jones of Mitchell,	Ryals,

Shaw,	Taylor of Sumter,	Warnell,
Sheffield,	Terrell,	Watkins,
Simmons,	Thorne,	White of Madison,
Slade,	Thurman,	White of Screven,
Slater,	Tift,	Whitley,
Smith of Calhoun,	Townsend,	Williams,
Smith of Campbell,	Tracy,	Wilson,
Stephens,	Trent,	Wise,
Stewart,	Tuggle,	Wooten,
Strickland,	Tyson,	Wright of Floyd,
Stubbs,	Walker of Lowndes,	Wright of Richmond,
Sumner,	Walker of Milton,	Wynne,
Swilling,	Walker of Wash'ton,	Young,
Taylor of Appling,	Ward,	Mr. Speaker.

On motion of Mr. Wright of Floyd, the reading of the journal of yesterday's proceedings was dispensed with.

By unanimous consent, the following reports of standing committees were submitted:

Mr. Alexander, chairman of the Committee on W & A: Railroad, submitted the following report:

*Mr. Speaker:*

Your Committee on the Western & Atlantic Railroad beg leave to report that they have had under consideration Senate bill No. 227, the same being a bill authorizing the Governor to contract for the purchase of lands in Chattanooga for the Western & Atlantic Railroad, and instruct me as their chairman to report the same back with the recommendation that it do pass by substitute herewith transmitted.

HOOPER ALEXANDER, Chairman.



Mr. Nowell, chairman of the Committee on Corporations, submitted the following report:

*Mr. Speaker:*

Your Committee on Corporations has had under consideration the following bills of the Senate and direct me as their chairman to report same back with the following recommendations, to wit:

SENATE BILLS DO PASS.

An Act to incorporate the city of Union City, Campbell county.

An Act to amend an Act to incorporate the city of Colquitt in lieu of town of Colquitt,

Respectfully submitted.

HAL G. NOWELL, Chairman.

Mr. Wright of Richmond, chairman of the Committee on General Judiciary, submitted the following report

*Mr. Speaker:*

Your Committee on General Judiciary, having had under consideration the following bills of the Senate, instructed me as their chairman, to report same back to the House with the recommendation that same do pass, to wit:

A bill to amend section 492, Code, 1895, relative to burial of carcasses.

A bill to regulate the hours of telegraph and telephone operators.

A bill to amend registration laws of Georgia.

A bill to authorize municipal authorities to establish and maintain a farm or other place of confinement for misdemeanor convicts.

A bill to amend primary election laws of Georgia.

Also, the following bills of the Senate with the recommendation that same do not pass, to wit:

A bill to provide for re-survey of disputed county lines.

Also, the following Senate resolution with the recommendation that same do not pass, to wit:

A resolution appointing joint committee on readjustment of judicial circuits.

Respectfully submitted.

BOYKIN WRIGHT, Chairman.

By unanimous consent the following bill was taken up and the Senate amendments concurred in, to wit:

By Mr. Fraser of Liberty—

A bill to prohibit the catching of shad or other fish with driftnets in the waters of this State.

The Senate proposed to amend by adding at the end of section 1 the following words: "Between the hours commencing at sundown on Thursday of each week and ending at sunrise Monday morning of the next week."

By unanimous consent, the following Senate bills ~~were~~ read the second time, to wit:

By Mr. Deen of 5th district—

A bill to amend section 2060 of the Code of 1895.

By Mr. Martin of 43d district—

A bill to provide additional regulations for primary elections.

By Mr. Martin of 43d district—

A bill to amend the registration laws of Georgia.

By Mr. Bush of 8th district—

A bill to amend an Act to incorporate the city of Colquitt.

By Mr. Stephens of 1st district—

A bill to authorize the municipal authorities of cities in this State to establish and maintain a farm or ~~other~~ place of confinement for misdemeanor convicts.

By Mr. Camp of 31st district—

A bill to authorize the Governor to purchase land in Chattanooga for a terminal station for W & A. Railroad.

By Mr. Wilkes of 7th district—

A bill to amend section 492 of the Penal Code of Georgia.

By Mr. Hawes of 30th district—

A bill to incorporate the city of Union City.

By Mr. Stephens of 1st district—

A bill to extend the time for the completion of the Savannah, Statesboro & Western Railroad.

The above bill was recommitted.

On motion of Mr. Hall of Bibb, Senate bill No. 230 was indefinitely postponed.

Senate bill No. 236 was also indefinitely postponed on motion of Mr. Wise of Fayette.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the amendment of the House to the following bill of the Senate, to wit:

A bill to amend the charter of the city of Marietta, approved August 15, 1904.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has adopted the following resolution, in which the concurrence of the House is respectfully asked, to wit:

A resolution declaring the name of the Technological school to be the State School of Technology.

The Senate has concurred as amended in the following resolution of the House, to wit:

A resolution memorializing Congress to grant an appropriation for the survey of a canal from the Tennessee river to the Ocmulgee river.

The Senate has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to amend and consolidate the laws of force for the protection of game.

A bill to create a State board of veterinary examiners.

A bill to prescribe the manner in which real estate belonging to Emanuel county may be sold.

A bill to provide for arbitration of tax returns of railroads.

A bill to amend an Act providing for four terms of superior court of Gwinnett county.

A bill to amend an Act establishing the city court of Newnan.

A bill to amend the charter of the city of Atlanta.

A bill to amend the charter of College Park.

A bill to amend the charter of College Park.

A bill to incorporate the town of Temple, in the county of Carroll.

A bill to amend the charter of town of Hogansville.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed as amended, by the requisite constitutional majority, the following bills of the House, to wit

A bill to establish a board for the examination of accountants.

A bill to amend the charter of the town of Adel, in county of Berrien.

A bill to provide for the election of judge and solicitor of the city court of Sandersville.

By unanimous consent the following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Knight of the 6th district—

A bill to change and fix the time of holding the superior court of Tift county.

The report of the committee, which was favorable to the passage of the bill, was agreed to. .

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wilkes of 7th district—

A bill to amend an Act to create the city court of Moultrie.

The House substitute was as follows:

A bill to be entitled an Act to amend an Act entitled "an Act to establish the city court of Moultrie, in and for the county of Colquitt; to define its jurisdiction and powers; to provide for the appointment of a judge and other officers thereof; to define the powers of the judge and other officers thereof, and for other purposes." (Approved November 13, 1901), and Acts amendatory thereof (approved December 17, 1902, July 30, 1903, and August 20, 1906), and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by authority of the same, That the Act approved November 13, 1901, and published on pages 136 and 145 of Georgia Laws, 1901, and Acts amendatory thereof, be and the same is hereby amended so as to provide for the election of the judge and solicitor thereof by the people and to limit the fees of the solicitor thereof, and for other purposes.

Sec. 2. Be it further enacted, That the general election to be held on the first Wednesday in October, 1900, there shall be elected by the qualified voters of Colquitt county a judge of the city court of Moultrie whose term of office shall be four years from January 1, 1911. Every four years thereafter there shall likewise be elected a judge of said city court for a term of four years, and who shall hold office until his successor is elected and qualified.

Sec. 3. Be it further enacted, That at the general election in October, 1910, there shall be a solicitor of the city court of Moultrie whose term of office shall be two years from January 1, 1911. At the general election to be held on the first Wednesday in October, 1912, and every four years thereafter there shall be elected a solicitor of said city court whose term of office shall be four years. The term of office of the first solicitor elected thereunder shall be two years, and the term of office of all subsequent solicitors elected thereunder shall be four years and until his successor is elected and qualified.

Sec. 4. Be it further enacted by the authority aforesaid, That the city court of Moultrie shall have jurisdiction to hear and determine all applications for the eviction of intruders, tenants holding over, partition of personal property, for trial of possessory warrants; issue and dispose of distress warrants, attachments and garnishments; foreclose mortgages on personal property and liens, and to try and dispose of all other cases and causes of whatsoever kind, excepting such causes, the jurisdiction of which is by the Constitution limited to other courts.

Sec. 5. Be it further enacted, That all of the fees and moneys received by the solicitor of the city court of Moultrie for trial of cases in the city court of Moultrie in excess of \$1,200 per annum, shall be by said solicitor paid into the treasury of Colquitt county, to be used by said county as other funds are used; provided, that in addition to the \$1,200 herein provided for the solicitor, he shall have the regular fees as provided by law for the trial of cases in the court of appeals or the supreme court of the State.



Sec. 6. Be it further enacted, That the present **term** of the judge of the city court of Moultrie shall not **expire** until January 1, 1911, so that the first election for judge of the city court of Moultrie, held under this Act, **shall** be held at the regular general election to be held in **Oc-**  
**tober, 1910.**

Sec. 7. Be it further enacted, That all laws and **parts** of laws in conflict with this Act be, and the **same are**, hereby repealed.

The substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed by substitute.

By Mr. Henderson of 39th district—

A bill to authorize the town of Cumming to hold **an** election to determine whether bonds shall be issued **for** school purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 110, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Wilkes of 7th district—

A bill to repeal an Act to incorporate the town of Kingwood.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Felder of 22d district—

A bill to amend the charter of the city of Macon.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 92, nays 3.

The bill having received the requisite constitutional majority was passed.

By Mr. Williford of 28th district—

A bill to create a new charter for the town of Buckhead.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed.

By Mr. Martin of 43d district—

A bill to amend the charter of the city of Dalton.

Mr. Glenn proposed to amend by striking all of sections 6 and 9 and 10 and numbering remaining sections accordingly.

The amendment was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Martin of 43d district—

A bill to amend the charter of the city of Dalton.

Mr. Glenn proposed to amend by adding the following words after the word “number,” in section 1, lines 8 and 29, the following words: “And shall be empowered to prescribe a course of study commonly taught in the high schools of this State.”

The amendment was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 100, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Overstreet of 17th district—

A bill to regulate the publication of all legal advertise-

ments in all counties having a population of not less than 20,400 and not more than 20,500 according to the census of 1900.

The report of the committee, which was favorable to the passage of the bill, was disagreed to and the bill was lost.

By Mr. Gordy of 24th district—

A bill to repeal an Act fixing the number of days work required of persons subject to road duty in certain counties.

On motion of Mr. Wright of Floyd, the above bill was tabled.

The following message was received from the Senate, through Mr. Northen, Secretary thereof

*Mr. Speaker:*

The Senate has adopted the following resolution, to wit:

A resolution requesting the House to return House bill No. 467 to the Senate.

The following Senate resolution was read and adopted, to wit:

By Mr. Felder of 22d district—

A resolution declaring the name of the Technological school to be the "State School of Technology."

The following Senate bill was read the second time, to wit:

By Mr. Henderson of 39th district—

A bill to empower members of local board of school trustees to administer oaths to common school teachers.

The following bills were taken up and the Senate amendments concurred in, to wit:

By Mr. Slaton of Fulton—

A resolution memorializing Congress in regard to a canal, etc.

The Senate proposed to amend by adding after the word "purpose," in line 50, the words, "that Congress be memorialized to appropriate"; also, to amend by striking the words "be appropriated," in line 51.

By Mr. Candler—

A bill to establish a board for the examination of accountants.

The Senate proposed to amend section 2, line 12, by striking after words "nineteen hundred and" the word "seven" and inserting "eight."

By unanimous consent the following bill was read the third time and put upon its passage, to wit:

By Mr. Pope of Brooks—

A bill to amend the charter of the town of Morven.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were III, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Parker, chairman of the Enrollment Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed, and ready for delivery to the Governor the following Acts, to wit

An Act to incorporate the town of Chalybeate Springs.

An Act to create the city court of Wrightsville.

An Act to amend the charter of the city of Gainesville.

An Act to incorporate the town of Orland, in the county of Montgomery

An Act to create a new charter for the town of Glenwood.

An Act to create a board of commissioners of roads and revenues for the county of Johnson.

An Act to establish a public school system within the city of Wrightsville.

An Act to amend the charter of the city of Rome.

An Act to amend an Act creating a board of commissioners of roads and revenues for the county of Sumter.

An Act to amend the charter of Waynesboro.

An Act to amend the charter of Douglasville.

An Act to repeal an Act establishing county courts in each county in the State so far as it affects Camden county

An Act to create a board of commissioners of roads and revenues for Appling county.

An Act to amend the Act creating a board of commissioners of roads and revenues for Jackson county.

An Act to amend the charter of Kirkwood.

An Act to amend an Act providing for holding four terms a year of the superior court of Gwinnett county.

An Act to amend an Act providing for Glynn county to issue bonds.

Mr. McMichael, chairman of the Committee on Education, submitted the following report:

*Mr. Speaker:*

Your Committee on Education has had under consideration Senate bills Nos. 195 and 240, and instructs me as is chairman to report as follows:

Senate bill No. 195 do pass.

Senate bill No. 240 do not pass.

Respectfully submitted,

E. H. McMICHAEL, Chairman.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the amendments of the House to the following Senate bills, to wit:

A bill to amend the charter of the city of Dalton.

A bill to amend the charter of the city of Dalton.

The Senate has passed, as amended, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to require all candidates to publish a statement of campaign expenses.

A bill to prohibit contributions by corporations or their officers or agents to campaign funds.

The following Senate resolution was taken up and read, to wit:

By Mr. Felder of 22d district—

A resolution requesting the House to return to the Senate House bill No. 467.

The House refused to concur in the above resolution and the request was not granted.

The following bills were taken up and the Senate **amendments concurred in**, to wit:

By Mr. Shaw of Clay—



A resolution to pay W. A. McAllister \$54.16 for armory rent.

The Senate proposed to amend by striking all of resolution after word "McAllister" and insert "out of the first funds appropriate and available for military purposes."

By Messrs. Duggan and Walker of Washington—

A bill to provide for the election of the judge and solicitor of the city court of Sandersville.

The Senate proposed to amend section 1 as follows: Strike out the words beginning with "general," in line 5, down to and including the word "October," in line 7, and substitute in lieu thereof the following: "At the election to be held on the Tuesday after the first Monday of November"; also,

To amend by striking out the words "at such general election," in line 7, and substituting the words, "at each general election for Governor each four years thereafter." Also,

To amend section 2 by striking out the words "first Wednesday in October, 1908" and substitute therefor the words "Tuesday after the first Monday of November, 1908"; also,

To amend by adding a new section to the bill to precede section 5, to read as follows: "Sec. 5. The provisions of this Act shall not become effective unless and until its provisions shall have been approved by a majority of the electors of Washington county qualified to vote for members of the lower House of the General Assembly, in the manner hereinafter provided. At the general election for

Governor and Statehouse officers to be held on the first Wednesday in October, 1908, the question as to whether the judge and solicitor of the city court of Sandersville shall be elected by the people or appointed by the Governor shall be submitted to a vote of the qualified electors of Washington county. Each person wishing to vote for the election of such officers by the people shall have written or printed on his ballot: "For the election of city court judge and solicitor by the people," and each person desiring to vote against the election of such officers by the people shall have plainly written or printed on his ballot: "Against the election of city court judge and solicitor by the people." If a majority of the votes cast in such election on this question are favorable to the election of such city court officers by the people, then this bill shall be of full force and effect, but if a majority of the ballots cast on this question shall be against the election of such city court officers by the people then this bill shall not be operative, and shall be of no force and effect. The ordinary of Washington county is hereby required to certify under the seal of his office the result of the election herein provided for to the Governor within ten days after the election."

The Senate proposed to amend section 5 by numbering same section 6.

By Mr. Way of Pulaski—

A resolution to return to Carroll Daniel the amount received by the State of Georgia for work done by him in the penitentiary while illegally confined there.

The Senate proposes to amend as follows, to wit:

(1) Amend caption by providing for the return of said amount to Laura Daniel, widow of Carroll Daniel.

(2) Amend the resolution by inserting between the word "cents" and the words "therefore be it resolved" the following: "And whereas the said Carroll Daniel, in August, 1907, died, leaving a widow, Laura Daniel, his death being the result of tuberculosis contracted during his service in said penitentiary."

(3) Amend the resolution so as to provide that the sum of \$224.22 be paid to his widow, Laura Daniel, and that the Governor draw his warrant payable to Laura Daniel, his said widow.

By Mr. Parrish of Berrien—

A bill to amend an Act to reincorporate the town of Adel, in Berrien county.

The Senate proposes to amend as follows, to wit:

By striking therefrom all of section 15 and inserting in lieu thereof the following:

"Sec. 15. Prorata share of public school fund. Be it further enacted by the authority aforesaid, That the State school commissioner of Georgia is hereby required to pay over to the board of education of the town of Adel the prorata share of the State and county school fund to which said town is entitled according to the number of children of school age residing within the corporate limits of the town of Adel, as shown by the last school census for Berrien county. The amount thus to be paid shall be paid at such time as the teachers of the county of Berrien are paid, and when paid shall be expended by said

board for the support and maintenance of said public schools of the town of Adel. It shall be the duty of the board of education of the town of Adel to have, prepare and furnish the State school commissioner, immediately upon the establishment of said public schools, and at such times thereafter as the school census for the county of Berrien may be taken, a list or census of all school children of school age residing within the corporate limits of said town of Adel. The board of education of the town of Adel shall have authority to admit the children of non-residents upon such terms as may seem to them reasonable and just; also, to admit the children of public school age who reside in Berrien county but without the corporate limits of the town of Adel, and to make contracts with the board of education of the county of Berrien for such pro rata amount as may be due by the county of Berrien of the State and county public school fund for such children."

By Mr. Hall of Bibb—

A bill to prohibit any railroad, express, telegraph or telephone company, or any person exercising any public franchise in this State, from giving service to any one otherwise than extended to the general public.

The Senate offered a substitute for the above bill.

Mr. Perry of Hall proposed the following substitute for the Senate substitute, to wit:

A bill to be entitled an Act to make it unlawful for any railroad or street railroad company doing business in this State or for any express, telegraph, telephone company, or other common carrier or public utility cor-

poration doing business in this State, or the officer or agent of any of the aforesaid corporations to grant or allow the cars, lines or privileges of such company or common carrier within this State to be used by any person or corporation free or at any less rate than that charged the general public under the same circumstances, or to issue or grant or allow to any person or corporation to be used within this State, passes, franks or rebates having, or intended to have, such effect, and to make it unlawful for any person to solicit or ask for or to receive for himself or another, or to use any privilege, frank, pass or rebate forbidden by this Act; to provide a punishment for violation of the provision of this Act, and for other purposes.

Section 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same, That from and after January 1, 1909, it shall be unlawful for any railroad or street railroad company doing business in this State, or for any express, telegraph, telephone company or other common carrier or public utility corporation doing business in this State, or the officer or agents of any of the aforesaid corporations to grant or allow the cars, lines or privileges of such company or common carrier within this State to be used by any person or corporation free or at any less rate than that charged the general public under the same circumstances, or to issue or grant or allow to any person or corporation to be used within this State passes, franks or rebates having or intended to have the effect of allowing such person or corporation to ride on or use the cars, lines or privileges of said company free or at any rate less than that charged the general public under the same circumstances; provided, that this Act shall not apply to

passes or franks granted to bona fide operatives or constructors or repairers of such roads or lines in the discharge of their duties as such. And it shall be unlawful for any person to solicit or ask for or to receive for himself or another or to use any privilege, frank, pass or rebate forbidden by this Act.

Sec. 2. Be it further enacted by authority of the same, That any corporation or officer or agent of any corporation, or any person, violating any of the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction shall be punished as provided by section 1039 of the Code of this State.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

On the adoption of the above substitute Mr. Perry called for the ayes and nays, which call was sustained, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Cooke of Thomas	Hubbard,
Adkins,	Covington,	Huie,
Alexander,	Cowan,	Jackson,
Anderson of Bulloch,	Dean,	Johnson of Towns,
Atkinson,	Duggan,	Jones of Mitchell,
Austin,	Flanders,	Keith,
Berry,	Frier,	McIntyre,
Bond,	Furr,	McMichael,
Burkhalter,	Gibson,	McMullan,
Calbeck,	Goode,	Mundy,
Clark,	Hamilton,	Orr,
Cook of Chat'hoochee,	Hardeman,	Perry,
Cook of Telfair,	Hill,	Shaw,

Sheffield,	Sumner,	Ward,
Slater,	Swilling,	Williams,
Smith of Campbell,	Thurman,	Wise,
Stephens,	Townsend,	Wootten,
Stewart,	Tracy,	Wright of Floyd,
Strickland,	Trent,	Wynne,
Stubbs,	Walker of Milton,	Young,

Those voting in the negative were Messrs.—

Adams of Elbert,	Edmondson,	Mercer,
Adams of Wilkinson,	Ellison,	Moore,
Anderson of Cobb,	Estes,	Nowell,
Barksdale,	Fagan,	Parker,
Barrett,	Flannigan,	Parrish,
Barrow,	Fraser,	Pope of Brooks,
Bell,	Geer,	Pope of Dade,
Blackburn,	Glenn,	Powell,
Boyd,	Godley,	Price of Bartow,
Brown of Carroll,	Guyton,	Price of Oconee,
Brown of Oglethorpe,	Hall,	Reid of Macon,
Buchannon,	Harris,	Reid of Putnam,
Butt,	Haywood,	Rogers,
Callaway,	Heard,	Rountree,
Candler,	Huff,	Ryals,
Cannon,	Hullender,	Slade,
Chamlee,	Johnson of Jeff Davis,	Taylor of Sumter,
Clifton,	Kendall,	Terrell,
Collum,	Kendrick,	Thorne,
Couch,	Lumsden,	Tuggle,
Crawford,	Matthews,	Tyson,
Crumbley,	MacFarland,	Walker of Wash'ton,
Culbreth,	McCarthy,	Warnell,
Daniel,	McMahan,	Watkins,
Davis,	McWilliams,	White of Madison,
Davison,	Martin,	White of Screven,
Donalson,	Maxwell,	Wilson,
Dykes,	Mays,	Wright of Richmond,

Those not voting were Messrs.—

Allen,	Atwater,	Burwell,
Arnold,	Ballard,	Dickey,
Ashley,	Bowen,	Dorminy,

Dunbar,	Jones of Meriwether	Peterson,
Eaves,	Lee,	Reid of Wilcox,
Edwards,	Lively,	Russell,
Foster,	Lunsford,	Simmons,
Fowler,	Massengale,	Smith of Calhoun,
Fullbright,	Morris,	Taylor of Appling,
Hines,	Nix,	Tift,
Holder,	Odum,	Walker of Lowndes,
Howard,	Payton,	Whitley,
Johnson of Jasper,	Persons,	Mr. Speaker.

By unanimous consent the verification of the roll-call was dispensed with.

On the adoption of the substitute the ayes were 60, nays 84.

The substitute was therefore lost.

Mr. Hall of Bibb moved to disagree to the Senate substitute, and on that motion called for the ayes and nays, which call was sustained, and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Elbert,	Cannon,	Flanders,
Adams of Wilkinson,	Clark,	Flannigan,
Allen,	Clifton,	Fowler,
Anderson of Bulloch,	Collum,	Fraser,
Ashley,	Cook of Chat'hoochee,	Glenn,
Austin,	Crumbly,	Goode,
Ballard,	Culbreth,	Guyton,
Barksdale,	Daniel,	Hall,
Bell,	Davis,	Harris,
Berry,	Dickey,	Heard,
Blackburn,	Dunbar,	Hill,
Boyd,	Dykes,	Holder,
Brown of Oglethorpe,	Eaves,	Huff,
Buchannon,	Edmondson,	Johnson of Towns,
Butt,	Estes,	Kendall,
Callaway,	Fagan,	Kendrick,



Lumsden,	Parrish,	Thorne,
Matthews,	Pope of Dade,	Townsend,
McIntyre,	Price of Oconee,	Walker of Wash'ton,
McMahan,	Reid of Macon,	Warnell,
McMullan,	Rountree,	Whitley,
Martin,	Ryals,	Williams,
Maxwell,	Simmons,	Wilson,
Mercer,	Slater,	Wootten,
Mundy,	Stephens,	Wright of Floyd,
Nowell,	Terrell,	Wynne,
Parker,		

Those voting in the negative were Messrs.—

Adams of Chatham,	Foster,	Reid of Putnam,
Adkins,	Furr,	Rogers,
Alexander,	Gibson,	Shaw,
Anderson of Cobb,	Hardeman,	Sheffield,
Atkinson,	Haywood,	Slade,
Barrow,	Hines,	Smith of Campbell,
Bond,	Hubbard,	Stewart,
Brown of Carroll,	Huie,	Strickland,
Burkhalter,	Hullender,	Stubbs,
Calbeck,	Jackson,	Sumner,
Candler,	Jones of Mitchell,	Swilling,
Chamlee,	Keith,	Taylor of Sumter,
Cook of Telfair,	Lunsford,	Thurman,
Cooke of Thomas,	McCarthy,	Tracy,
Covington,	McMichael,	Tuggle,
Couch,	McWilliams,	Tyson,
Cowan,	Mays,	Walker of Milton,
Crawford,	Moore,	Ward,
Davison,	Orr,	Watkins,
Dean,	Perry,	White of Screven,
Donalson,	Powell,	Wright of Richmond,
Duggan,	Price of Bartow,	Young,
Ellison,		

Those not voting were Messrs.—

Arnold,	Burwell,	Fullbright,
Atwater,	Dorminy,	Geer,
Barrett,	Edwards,	Godley,
Bowen,	Frier,	Hamilton,

Howard,	Nix,	Smith of Calhoun,
Johnson of Jasper,	Odum,	Taylor of Appling,
Johnson of Jeff Davis,	Payton,	Tift,
Jones of Meriwether	Persons,	Trent,
Lee,	Peterson,	Walker of Lowndes,
Lively,	Pope of Brooks,	White of Madison,
MacFarland,	Reid of Wilcox,	Wise,
Massengale,	Russell,	Mr. Speaker.
Morris,		

By unanimous consent the verification of the roll-call was dispensed with.

On the motion to disagree to the Senate substitute the ayes were 79, nays 67.

The motion, therefore, prevailed.

Leave of absence was granted Messrs. Eaves, Edwards and Mundy.

The hour of adjournment having arrived the Speaker announced the House adjourned until 3 o'clock this afternoon.

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3 O'clock P.M.

The House reconvened at this hour and was called to order by the Speaker.

Mr. Mays, chairman of the Committee on Special Agriculture, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Agriculture has had under consideration the following bills, and request the chairman to make the following report:

Bill No. 618. Do not pass.

Bill No. 372. Do not pass.

MAYS, Chairman.

Mr. Heard, chairman of the Committee on Banks and Banking, submitted the following report:

*Mr. Speaker:*

Your Committee on Banks and Banking having had under consideration Senate bill No. 185, instruct me as their chairman to report same back with the recommendation that it do pass as amended.

HEARD, Chairman.

Mr. Blackburn, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following Senate bills, and as its chairman I am requested to report the same back as follows:

Senate bill 172, entitled an Act to amend an Act creating city court of Quitman, do not pass.

Senate bill No. 731, entitled an Act to extend the time

for completion of the Savannah, Statesboro & Western Railroad, do pass.

All of which is respectfully submitted,

B. B. BLACKBURN, Chairman.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The President of the Senate has appointed the following as a new committee of conference on House bill No. 1, known as the anti-lobbying bill:

Senators Dobbs, Howard and Johnson.

The following message was received from the Senate, through Mr. Northen, secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following House bills, to wit:

A bill to extend the corporate limits of the city of Carrollton.

A bill to provide for establishment of disputed county lines.

A bill to amend an Act to increase the membership of the Railroad Commission.

The last committee of conference on the anti-lobbying bill not having been able to agree, they were discharged,

on motion of Mr. Alexander, and the following new conference committee appointed by the Speaker :

Messrs. Taylor of Sumter, Atkinson and Perry.

The following resolution was read and adopted, to-wit :

By Mr. Parker of Talbot—

A resolution to provide for the finishing up of the business of the present session of the General Assembly.

By unanimous consent the following Senate bill was read the second time, to wit :

By Mr. Deen of 5th district—

A bill to amend an Act to create a bank bureau in the State Treasury Department.

By unanimous consent the session was extended from 5 to 6 o'clock.

The following resolution was read, to-wit :

By Mr. Alexander—

A resolution instructing Committee on Rules to prepare order of business for first hour of session to-morrow.

The above resolution was tabled, on motion of Mr. Barrett.

The following resolution was read and adopted, to wit :

By Mr. McMahan of Clarke—

A resolution to pay the full per diem of Geo. Hauser, doorkeeper of the House, deceased.

On motion of Mr. Jackson of Jones, House bill 195, known as the "Clean Sheet" bill, which was taken up for concurrence in the Senate amendment, was tabled.

Senate bill No. 10, known as the automobile bill, was tabled.

By unanimous consent the following bills were taken up and the Senate amendments concurred in, to wit:

By Mr. Wright of Richmond—

A bill to require all candidates to publish a statement of campaign expenses.

The Senate proposed to amend by striking the following words at the end of section 1: "And publish the same in the newspaper in which the sheriff advertises," and by substituting in lieu thereof the words, "but the said county officers, including city judges and solicitors, elected by the people shall not be required to publish in any newspaper the said expenses"; also, by striking the word "all" in line 1 of the caption and inserting in lieu thereof the word "certain."

By Messrs. Wright and Allen—

A bill to prohibit contributions by corporations or their officers or agents to campaign funds.

The Senate proposes to amend as follows, to wit:

By adding after the words "agents thereof," in line 7,

section — of said bill, the following words, to wit:  
“From corporate funds.”

By unanimous consent the following Senate resolution was read the third time and adopted, to wit:

By Mr. Martin of 43d district—

A resolution relative to the Confederate cemetery at Resaca.

The following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Hardman of 33d district—

A bill to provide for the election of the pension commissioner by the people.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 98, nays 12.

The bill having received the requisite constitutional majority was passed.

By Mr. Hardman of 33d district—

A resolution indorsing the bill of Hon. Chas. Littlefield to prohibit the transportation of intoxicating liquors under interstate commerce law.

The above bill was tabled, on motion of Mr. Hall of Bibb.

By Mr. Felder of 22d district—

A bill to prescribe the duties of telegraph companies in receiving and transmitting messages.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 86, nays 18.

The bill having failed to receive the requisite constitutional majority was lost.

The following resolution was read and referred to the Committee on Rules, to wit:

By Mr. Dunbar of Richmond—

A resolution to make House bill No. 240 a special order.

By Mr. Hardman of 33d district—

A resolution urging Congress to establish a national health bureau.

The above resolution was read the third time and adopted—ayes 94, nays 0.

On motion of Mr. Dykes of Sumter, the House reconsidered its action in not passing the bill prescribing the duties of telegraph companies in receiving and transmitting messages.

Mr. Wright of Floyd moved to take the resolution memorializing Congress in regard to interstate traffic in liquor from the table, and on that motion the ayes and nays were called, which were as follows:



Those voting in the affirmative were Messrs.—

Alexander,	Flanders,	Pope of Dade,
Anderson of Cobb,	Foster,	Price of Bartow,
Atkinson,	Frier,	Price of Oconee,
Austin,	Furr,	Reid of Wilcox,
Barksdale,	Gibson,	Rogers,
Bond,	Godley,	Shaw,
Bowen,	Goode,	Sheffield,
Buchannon,	Guyton,	Simmons,
Burkhalter,	Hamilton,	Strickland,
Callaway,	Hardeman,	Stubbs,
Collum,	Harris,	Sumner,
Cook of Telfair,	Holder,	Swilling,
Cooke of Thomas,	Huie,	Terrell,
Covington,	Hullender,	Thorne,
Couch,	Johnson of Jeff Davis,	Thurman,
Cowan,	Kendall,	Tracy,
Crawford,	Kendrick,	Tyson,
Daniel,	McIntyre,	Walker of Milton,
Davis,	McMahan,	Walker of Wash'ton,
Davison,	McMullan,	Ward,
Dean,	McWilliams,	Williams,
Duggan,	Martin,	Wootten,
Dykes,	Moore,	Wright of Floyd,
Edmondson,	Mundy,	Wynne,
Ellison,	Orr,	Young,
Fagan,		

Those voting in the negative were Messrs.—

Adams of Chatham,	Crumbley,	Johnson of Towns,
Adams of Wilkinson,	Donelson,	Jones of Meriwether
Allen,	Dunbar,	Keith,
Anderson of Bulloch,	Estes,	Lumsden,
Arnold,	Fowler,	MacFarland,
Barrow,	Fraser,	McCarthy,
Bell,	Geer,	McMichael,
Berry,	Glenn,	Maxwell,
Blackburn,	Hall,	Parrish,
Butt,	Heard,	Perry,
Calbeck,	Hill,	Peterson,
Chamlee,	Hines,	Pope of Brooks,
Clifton,	Huff,	Powell,

Reid of Macon,	Slater,	Tuggle,
Reid of Putnam,	Stephens,	Warnell,
Rountree,	Taylor of Sumter,	Watkins,
Slade,	Trent,	Wright of Richmond,

Those not voting were Messrs.—

Adams of Elbert,	Flannigan,	Parker,
Adkins,	Fullbright,	Payton,
Ashley,	Haywood,	Persons,
Atwater,	Howard,	Russell,
Ballard,	Hubbard,	Ryals,
Barrett,	Jackson,	Smith of Calhoun,
Boyd,	Johnson of Jasper,	Smith of Campbell,
Brown of Carroll,	Jones of Mitchell,	Stewart,
Brown of Oglethorpe,	Lee,	Taylor of Appling,
Burwell,	Lively,	Tift,
Candler,	Lunsford,	Townsend,
Cannon,	Matthews,	Walker of Lowndes,
Clark,	Massengale,	White of Madison,
Cook of Chat'hoochee,	Mays,	White of Screven,
Culbreth,	Mercer,	Whitley,
Dickey,	Morris,	Wilson,
Dorminy,	Nix,	Wise,
Eaves,	Nowell,	Mr. Speaker.
Edwards,	Odum,	

The roll-call was verified and on counting the votes cast it was found that the ayes were 76, nays 51.

The motion to take from the table, therefore, prevailed.

Mr. Blackburn then moved to indefinitely postpone the resolution, and on that motion the previous question was called.

Mr. Barrow of Chatham moved to adjourn, which motion prevailed.

The following was read:

*Mr. Speaker:*

I respectfully ask to be excused for absences. I have attended faithfully to my duties as member and never been absent when my presence was necessary. I was absent one day from indisposition and two Saturdays, one of these July 4th, when only local bills were up and professional business required my presence at home. I recall no other absences, and I respectfully ask to be excused for any absences as there were none without good cause.

H. H. PERRY of Hall.

The above request of Mr. Perry was unanimously granted by the House.

Leave of absence was granted Mr. Chamlee of Floyd.

The Speaker then announced the House adjourned until 9 o'clock to-morrow morning.

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ATLANTA, GA.,

Wednesday, August 12, 1908.

The House met this day at 9 o'clock a.m., pursuant to the adjournment thereof, called to order by the Speaker, and opened with prayer by the Chaplain.

By unanimous consent the call of the roll and the reading of the Journal was dispensed with.

Mr. Warnell of Tattnall gave notice that at the proper time he would move the reconsideration of Senate bill No. 238.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker.*

The Senate has concurred in the substitute of the House to the following bill of the Senate, to wit:

A bill to amend an Act to establish the city court of Moultrie.

The Senate has passed as amended, by the requisite constitutional majority, the following House bills, to wit:

A bill to provide a method of taking depositions to be used in the trial of civil cases, and for other purposes.

A bill to prohibit any unauthorized person from interfering with running of railroad locomotives, engines or trains.

The Senate has passed by the requisite constitutional majority the following bills of the House, to wit:

A bill to incorporate the town of Buchanan, in the county of Haralson.

A bill to authorize the trustees of the Confederate Soldiers' Home to sell certain real estate.

A bill to authorize the city of Rome to maintain a hospital.

A bill to amend a special Act for Henry county providing for clearing streams of obstructions.

A bill to authorize the city of West Point to close up Bridge street and convey title to same.

A bill to authorize the city of West Point to grant to A. & W. P. R. R. and the W. of Ala. R. R. the right to use part of Bridge street.

A bill to amend the charter of College Park.

A bill to incorporate the town of College Park, in the county of Clayton.

A bill to add Senoia to list of State depositories.

A bill to amend the charter of Winder.

A bill to amend the charter of Norwood.

A bill to add Comer, Madison county, to list of State depositories.

A bill to amend the charter of the town of Jonesboro.

A bill to amend the charter of the town of Pelham.

The following message was received from the Senate, through Mr. Northen, secretary thereof:

*Mr. Speaker:*

The Senate has passed as amended, by the requisite constitutional majority, the following resolution of the House, to wit:

A resolution for the relief of J. W. Turner of Greene county.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following bills of the House, to wit

A bill to amend the Act creating the city court of Douglas.

A bill to change the time of holding the superior court of Tift county.

A bill to create a public school system for the town of Lithonia.

A bill to incorporate the town of Chamblee, in the county of DeKalb.

A bill to authorize the county of DeKalb to issue bonds.

A bill to amend the charter of Junction City, in the county of Talbot.

A bill to amend an Act creating a public school system for Lumber city

A bill to amend the charter of the city of Valdosta.

The following resolutions were read and referred to the Committee on Rules, to wit

By Mr. Dykes—

A resolution that Senate bill No. 23 be made a special order.

By Mr. Hines—

A resolution to make Senate bills Nos. 210 and 228 special order immediately, and that the Committee on Rules be requested to report on same at once.

The instructions were adopted on the above resolution.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed by the requisite constitutional majority the following House bills, to wit:

A bill to amend an Act establishing the city court of Blakely.

A bill to amend the Act to create the office of commissioner of roads and revenues for the county of Greene.

A bill to authorize the mayor and aldermen of Calhoun to sell a part of the John P King park.

A bill to change number of county commissioners of Newton county.

A bill to regulate running of log carts, traction engines, etc., on public roads and bridges of Brooks county.

A bill to remove obstructions other than dams from rivers and creeks of Rockdale county.

A bill to abolish the Dawson Water and Light Commission.

A bill to amend the charter of Bowersville.

A bill to add Fayetteville to list of State depositories.

The following resolutions were read and adopted by a unanimous rising vote, to wit:

By Messrs. Price and Bartow—

WHEREAS, God in his omnipotent wisdom has taken to rest the Honorable W J. Neel of the county of Bartow; and

WHEREAS, the Honorable W J. Neel was respected, honored and loved by the members of this House; be it, therefore,

*Resolved*, That in the death of Mr. Neel this House lost a valuable member and the State a worthy son.

*Be it resolved further*, That this House express its sincere sympathies to members of the family, and that these resolutions be spread upon the permanent records of this House, and that the Clerk be requested to furnish copy to the family of our deceased brother.

By Messrs. Nowell and Arnold—

WHEREAS, since the last session of this House it has pleased the Ruler of the Universe to call from labor to refreshment our most worthy brother, the Hon. N. L. Galloway, a Representative from the county of Walton, and whilst we bow in humble submission to the decree of Divine Providence and greatly miss our brother and deeply regret his death, and will miss his counsel and advice, yet we are taught to believe and do believe that by correct



lives the members will assemble again, that the gavel will fall, the House be called to order and each member will be assigned his proper place.

In the death of our esteemed brother the State has lost one of her most able and faithful servants, his county one of its foremost citizens. In all the relations of life our brother was at all times an honorable, upright, Christian gentleman. Therefore, be it

*Resolved*, That we deeply sympathize with his loved ones, and to tender to them our sincere sympathy, and that the Clerk of this House be authorized to furnish a copy of these resolutions to the family of our deceased brother.

By Mr. Wynne—

*Be it resolved* by the House of Representatives of Georgia, That in the death of the Hon. S. A. Way, member of the House from Pulaski, the House has lost one of its most useful members and the State of Georgia one of its most devoted sons.

*Be it further resolved*, That the sympathies of this House be tendered the relatives of the deceased and the Clerk of the House be directed to forward a copy of these resolutions to the bereaved family.

*Be it further resolved*, That these resolutions be spread on the Journal of the House.

By Messrs. Matthews and Clark—

WHEREAS, on January 28, 1908, the Hon. George W Williams, a member of this House, peacefully breathed

his last. It is useless to say that the entire county of Laurens and the State of Georgia were sadly grieved at the death of Mr. Williams. Colonel Williams was born and reared in Bulloch county, Georgia, and moved to Dublin, Ga., about ten years ago. He immediately became the leading attorney at the Dublin bar, the leading man in his church and education. The last four years of his life was spent as a member of this House, having been elected without opposition. Many members of this House can testify as to his lofty ability and popularity, but the Grim Reaper saw fit to call him hence, and he died before serving his second term out.

*Resolved, first,* That the House has lost a valiant and faithful member and the county of Laurens and State of Georgia an able statesman.

*Second,* That these resolutions be inscribed on the minutes of the House and a copy be sent to his wife and family.

By Messrs. Barrett and Holder—

WHEREAS, Hon. R. E. Cannon, late Representative from Rabun county, born May 23, 1848, lived all his life in Rabun and died in April, 1908. He held a number of offices of trust and honor, having served his county as clerk of the superior court for four years, and six years in the lower House of the General Assembly. Those who knew him best loved him best. His death is a distinct loss to his county and the State; therefore be it

*Resolved, first.* That the sympathies of the House of Representatives are tendered the bereaved family of the deceased.

*Second*, That a copy of these resolution be recorded in the Journal of the House and a copy sent to his family.

The following bills of the House were taken up and Senate amendments concurred in, to wit:

By Messrs. Hamilton and Wright—

A bill to provide a method of taking depositions to be used in the trial of civil cases without commission.

The Senate proposes to amend as follows, to wit

By adding immediately after the words, "Section 1," preceding the first section of said bill, the following words, to wit: "Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same, That."

By Mr. Wright of Richmond—

A bill to prohibit any unauthorized person from interfering with the running or movement of railroad locomotives, engines or trains, and for other purposes.

The Senate proposed to amend as follows, to wit:

To amend section 1 by adding at the end thereof the following proviso: "Provided further, That the provisions of this Act shall not apply to any person who shall do any of the things herein prohibited because of any reasonable necessity."

Mr. Davison, acting chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr Speaker*

Your Committee on Counties and County Matters returns House bill 1083 without recommendation.

R. E. DAVISON, Acting Chairman.

Under the head of unfinished business the following resolution was taken up, to wit:

By Mr. Hardman of 33d district—

A resolution memorializing Congress in regard to the Littlefield bill relative to the interstate traffic of liquor, etc.

On yesterday Mr. Blackburn moved that the above resolution be indefinitely postponed, and on that motion Mr. Wright of Floyd called the ayes and nays, which call was sustained and on taking the ballot viva voce the vote was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Chamlee,	Jones of Meriwether
Adams of Elbert,	Clifton,	Keith,
Allen,	Crumbley,	Lumsden,
Anderson of Bulloch,	Davis,	Matthews,
Arnold,	Donalson,	MacFarland,
Barksdale,	Dunbar,	McCarthy,
Barrow,	Eaves,	McMichael,
Bell,	Estes,	Maxwell,
Berry,	Glenn,	Moore,
Blackburn,	Hall,	Nowell,
Boyd,	Heard,	Parrish,
Brown of Oglethorpe.	Hill,	Perry,
Buchannon,	Hines,	Peterson,
Butt,	Huff,	Pope of Brooks,
Calbeck,	Johnson of Jasper,	Powell,
Callaway,	Johnson of Towns,	Price of Oconee,

Reid of Macon,	Stewart,	Tuggle,
Reid of Putnam,	Sumner,	Warnell,
Ryals,	Taylor of Sumter,	Watkins,
Slade,	Townsend,	Wilson,
Slater,	Trent,	Wright of Richmond,
Stephens,		

Those voting in the negative were Messrs.—

Adams of Wilkinson,	Fullbright,	Payton,
Adkins,	Furr,	Pope of Dade,
Alexander,	Gibson,	Price of Bartow,
Anderson of Cobb,	Godley,	Reid of Wilcox,
Atkinson,	Goode,	Rogers,
Austin,	Guyton,	Shaw,
Bowen,	Hamilton,	Sheffield,
Brown of Carroll,	Hardeman,	Simmons,
Burkhalter,	Harris,	Smith of Campbell,
Collum,	Haywood,	Strickland,
Cook of Telfair,	Holder,	Stubbs,
Cooke of Thomas,	Huie,	Swilling,
Covington,	Hullender,	Thorne,
Couch,	Jackson,	Thurman,
Cowan,	Johnson of Jeff Davis,	Tracy,
Crawford,	Jones of Mitchell,	Tyson,
Daniel,	Kendall,	Walker of Milton,
Davison,	Kendrick,	Walker of Wash'ton,
Dean,	Lunsford,	Ward,
Dickey,	McIntyre,	White of Madison,
Duggan,	McMahan,	White of Screven,
Dykes,	McMullan,	Williams,
Edmondson,	McWilliams,	Wise,
Fagan,	Martin,	Wootten,
Flanders,	Massengale,	Wright of Floyd,
Flannigan,	Mundy,	Wynne,
Foster,	Orr,	Young,
Frier,		

Those not voting were Messrs.—

Ashley,	Bond,	Clark,
Atwater,	Burwell,	Cook of Chat'hoochee,
Ballard,	Candler,	Culbreth,
Barrett,	Cannon,	Dorminy,

Edwards,	Mays,	Russell,
Ellison,	Mercer,	Smith of Calhoun,
Fowler,	Morris,	Taylor of Appling,
Fraser,	Nix,	Terrell,
Geer,	Odum,	Tift,
Howard,	Parker,	Walker of Lowndes,
Hubbard,	Persons,	Whitley,
Lee,	Rountree,	Mr. Speaker.
Lively,		

By unanimous consent the verification of the roll call was dispensed with.

On the motion to indefinitely postpone the ayes were 64, nays 82.

The motion was therefore lost.

On motion of Mr. Wright of Floyd, the resolution was placed at the heel of the calendar.

ATLANTA, GA., August 12, 1908.

The following message was received from his Excellency the Governor, through his secretary, Mr. Carter:

*Mr. Speaker:*

I am directed by his Excellency the Governor, to deliver to the House of Representatives a communication in writing.

STATE OF GEORGIA.

EXECUTIVE DEPARTMENT,

ATLANTA, August 12, 1908.

*To the Senate and House of Representatives:*

Permit me once more to suggest the importance

of using the last hours of the regular session to close up those matters of legislation now pending before your bodies other than the convict question.

It must be apparent from the number of new suggestions that are constantly being made as to the manner in which this subject is to be handled that no satisfactory conclusion has been reached upon it.

You have had a committee engaged in the investigation of the penitentiary system for several weeks. This committee has not yet finished its work. It is utterly impossible for this committee to present to you a full and complete report to-day.

You, therefore, can not have before you to-day that information which has been prepared under your own instructions that should aid in determining what disposition should be made of this subject, and there are many reasons why the work of the committee should be completed.

It is too important to the people of Georgia, it involves too greatly the future of this State for us to hesitate about spending a few thousand dollars more to handle it in the most intelligent and best manner possible.

I, therefore, again urge that you give the balance of your time to the other matters pending before you, leaving the convict question to be considered at an extra session which I am ready to call to meet within a week or ten days.

HOKE SMITH, Governor.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following resolutions of the House, to wit:

A resolution to pay pension to Mrs. S. F. Crain for year 1907.

A resolution to pay pension to widow of Frank Johnson.

A resolution to pay pension of John M. Surrency to his widow, Mrs. Elizabeth Surrency.

A resolution to pay unpaid pension to Mrs. Louisa L. Hodge.

A resolution to pay pension of Peter Currans, deceased, to his widow, Sarah Currans, for year 1906.

A resolution to put name of Mrs. Lucy Lockhart of Wilkinson county on pension roll for 1906.

A resolution to pay pension of Mrs. McDougald of Gordon county for year 1908.

A resolution to authorize payment of pension of Thos. H. Greer to his widow, Mary Ann Greer.

The following resolution was read and adopted, to wit:

By Mr. Trent—

A resolution that the Auditing Committee pay door-keeper per diem for mileage.

By Mr. Barrow—



A resolution to make Senate bill 196 a special order to immediately follow Senate bill 37, and that the Rules Committee be requested to report same at once.

Instructions in above resolution was adopted and the resolution referred to the Committee on Rules.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed by the requisite constitutional majority the following House bill, to wit:

A bill to appropriate \$30,000 to the University of Georgia.

The Senate has passed as amended by the requisite constitutional majority the following House bill, to wit:

A bill to appropriate \$25,000 for the year 1908 and \$50,000 for the year 1909 to the University of Georgia for the State College of Agriculture.

Mr. Candler, chairman pro tem. of the Committee on Rules, submitted the following report:

*Mr Speaker: -*

The Committee on Rules having had under consideration House resolution No. 347, to fix Senate bills Nos. 210 and 228 as immediate special continuing orders, report the same favorably in accordance with the instructions of the House.

The committee further favorably reports House reso-

lution No. 346 to make Senate bill No. 240 a special order as instructed by the House, and that the previous question thereon be considered ordered after ten minutes' debate.

Respectfully submitted,

C. M. CANDLER, Chairman Pro Tem.

The following resolutions favorably reported by the Committee on Rules, were adopted, to wit:

By Mr Hines—

A resolution to make Senate bills Nos. 210 and 228 special orders.

By Mr. Dunbar—

A resolution to make Senate bill No. 240 a special order.

The following amendment by Mr. Hardeman was adopted to the above resolution, to wit:

Amend by striking the word "twenty" and inserting in lieu thereof the word "ten" in next to last line.

The following bill of the Senate was taken up as a special order, read the third time and put upon its passage, to wit:

By Mr. Martin of 43d district—

A bill to amend the registration laws of Georgia, and for other purposes.

The following minority report was submitted on the above bill:

*Mr Speaker:*

We respectfully dissent from the report of the majority of the General Judiciary Committee, which is favorable to the passage of Senate bill No. 210. We recommend said bill do not pass.

JAS. H. HALL,  
W F SLATON.

Mr. Barksdale moved the previous question on the bill, which motion prevailed.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

Upon the passage of the bill Mr. Hall called the ayes and nays, which call was sustained and on taking the ballot viva voce, the vote was as follows:

Those voting in the affirmative were Messrs. —

Adams of Chatham,	Burkhalter,	Dickey,
Adams of Elbert,	Burwell,	Duggan,
Adams of Wilkinson.	Calbeck,	Dykes,
Adkins,	Callaway,	Ellison,
Alexander,	Candler,	Estes,
Allen,	Cook of Telfair,	Fagan,
Anderson of Cobb,	Cooke of Thomas,	Flannigan,
Atkinson,	Covington,	Flanders,
Austin,	Couch,	Foster,
Ballard,	Cowan,	Frier,
Barksdale,	Crawford.	Furr,
Barrow,	Culbreth,	Gibson,
Bond,	Daniel,	Glenn,
Bowen,	Davis,	Godley,
Buchannon,	Dean,	Goode,

Guyton,	Mays,	Swilling,
Hamilton,	Moore,	Taylor of Sumter,
Hardeman,	Mundy,	Townsend,
Harris,	Orr,	Tracy,
Haywood,	Parker,	Tuggle,
Hines,	Perry,	Tyson,
Holder,	Peterson,	Walker of Milton,
Huie,	Pope of Brooks,	Walker of Wash'ton,
Jackson,	Powell,	Ward,
Johnson of Jeff Davis,	Price of Bartow,	Warnell,
Johnson of Towns,	Price of Oconee,	Watkins,
Jones of Mitchell,	Reid of Putnam,	White of Madison,
Kendall,	Reid of Wilcox,	White of Screven,
Kendrick,	Rogers,	Whitley,
Lunsford,	Russell,	Williams,
MacFarland,	Ryals,	Wilson,
McIntyre,	Shaw,	Wise,
McMahan,	Sheffield,	Wootten,
McMichael,	Slade,	Wright of Floyd,
McMullan,	Smith of Campbell,	Wright of Richmond,
McWilliams,	Stewart,	Wynne,
Martin,	Strickland,	Young,
Massengale,	Stubbs,	

Those voting in the negative were Messrs.—

Anderson of Bulloch,	Donalson,	McCarthy,
Arnold,	Dunbar,	Nix,
Bell,	Eaves,	Nowell,
Berry,	Edmondson,	Parrish,
Blackburn,	Fullbright,	Pope of Dade,
Brown of Carroll,	Hall,	Simmons,
Brown of Oglethorpe.	Heard,	Slater,
Butt,	Hill,	Stephens,
Chamlee,	Huff,	Sumner,
Collum,	Jones of Meriwether.	Thorne,
Crumbley,	Lumsden,	Tift,

Those not voting were Messrs.—

Ashley,	Cannon,	Davison,
Atwater,	Clark,	Dorminy,
Barrett,	Clifton,	Edwards,
Boyd,	Cook of Chat'hoochee,	Fowler,

Fraser,	Matthews,	Rountree,
Geer,	Maxwell,	Smith of Calhoun,
Howard,	Mercer,	Taylor of Appling,
Hubbard,	Morris,	Terrell,
Hullender,	Odum,	Thurman,
Johnson of Jasper,	Payton,	Trent,
Keith,	Persons,	Walker of Lowndes,
Lee,	Reid of Macon,	Mr. Speaker.
Lively,		

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 115, nays 33.

The bill having received the requisite constitutional majority was passed.

Leave of absence was granted the following members: Messrs. Fagan and Eaves.

The time for adjournment having arrived, the Speaker declared the House adjourned until 3 o'clock this afternoon.

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3 O'clock P.M.

The House convened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed as amended, by the requisite constitutional majority, the following bill of the House, to wit:

A bill to amend an Act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State government, and for other purposes.

The Senate has concurred in the following resolution of the House, to wit:

A resolution providing for the finishing up of the business of the General Assembly.

Mr. Blackburn, chairman of the Committee on Special Judiciary, submitted the following report:

*Mr. Speaker:*

Your Committee on Special Judiciary has had under consideration the following Senate bills and as its chairman I am requested to report the same back with recommendation as follows:

Senate bill No. 235, entitled an Act to repeal an Act incorporating the town of Edgewood, in the county of DeKalb, do pass as amended.

Senate bill 234, entitled an Act to repeal an Act incorporating the town of Battle Hill, do pass as amended.

Senate bill No. 233, entitled an Act to amend the charter of the city of Atlanta, do pass as amended.

All of which is respectfully submitted.

BLACKBURN, Chairman.

Mr. Donalson, chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. Speaker:*

Your Committee on Counties and County Matters has had under consideration the following House bills and resolutions and as chairman I am instructed to report the same back to the House without recommendation:

House resolution 66    House bills Nos. 420, 421, 473, 491, 501, 514, 915, 531, 765, 938, 987, 1018 and 1098.

Respectfully submitted.

ERLE M. DONALSON, Chairman.

The following report was submitted by the Committee on Rules:

*Mr. Speaker:*

Your Committee on Rules have had under consideration House resolution 354 as amended by the House and instruct me to report the same back that the resolution as amended be adopted as directed by the House.

Mr. Parker, chairman of the Enrollment Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following Acts, to wit:

An Act to amend an Act creating a board of commissioners of roads and revenues in Glynn county.

An Act to amend section 982, volume 1, of the Code of 1985.

An Act to incorporate the Waco school district, in Haralson county.

An Act to change the time of holding the terms of Troup superior court.

An Act to amend an Act establishing the city court of Waynesboro.

An Act to incorporate the town of East Lake, in DeKalb county.

An Act to amend sections 4 and 39, respectively, of an Act establishing the city court of Oglethorpe.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker.*

The Senate has passed, by the requisite constitutional majority, the following House bill, to wit:

A bill to make it a misdemeanor to charge a greater rate of interest than five per cent. per month.

A bill to authorize corporations and individuals to construct and maintain dams across non-navigable streams.

The following resolution, which was favorably reported



by the Committee on Rules, was read and adopted **as** amended, to wit:

By Mr. Barrow—

A resolution to fix Senate bill No. 196 as a **special** order.

The committee proposed to amend by having Senate bill No. 196 the special order to follow Senate bill No. 37.

The undersigned members of the Committee on Education submitted the following minority report on Senate bill No. 240:

We, the undersigned members of the Committee on Education, beg leave to submit this, a minority report, on Senate bill No. 240, and urge the House to pass same. That it is manifestly wrong to change the books of the common schools of Georgia when the same have in nearly every case been only in use from two to two and one-half years, and to continue the present contract would mean a very large saving to the poor people of the State.

Respectfully submitted.

I. F. MUNDY,  
S. C. McWILLIAMS,  
CLAUDE PAYTON,  
G. P. LUNSFORD,  
J. D. PRICE,  
JNO. N. HOLDER,  
A. E. BOND,  
E. E. COOK,  
A. T. JONES,

J. F. JOHNSON,  
A. J. McMULLAN,  
R. M. MOONEY,  
PAUL BROWN,  
G. M. HUIE,  
W. I. MACINTYRE,  
B. F. HILL,  
W. D. SHEFFIELD,  
J. J. E. ANDERSON,  
WILLIAM BUTT,  
R. M. YOUNG,  
L. A. WHITE,  
F. D. BALLARD,  
D. J. CLARK,  
L. H. O. MARTIN,  
S. J. TYSON,  
W. S. HUFF,  
W. C. POWELL,  
T. A. ADKINS,  
SMITH J. CAMPBELL,  
MATT. COOK,  
DAVID C. BARROW

The following message was received from the Senate,  
through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to appropriate \$7,671.76 to the Georgia Normal and Industrial College.

A bill to appropriate \$15,000 for year 1908 and \$30,000 for 1909 to support Georgia State Sanitarium.

The Senate has passed, by the requisite constitutional majority, the following House resolution, to wit:

A resolution to appropriate \$5,000 to improve the Confederate cemetery at Marietta.

The undersigned members of the Committee on Counties and County Matters submitted the following minority report:

Minority report on House resolution 263, before Committee on Counties and County Matters:

For reasons set forth in House resolution No. 263, we herewith file a minority report to the report of the committee, which was adverse to the passage of this resolution.

WILLIAM BUTT,  
J. W. OVERSTREET,  
JNO. R. KENDRICK.

The following bill was read the third time, to wit:

By Mr. Henderson of 39th district—

A bill to extend the present school book contract until January 1, 1911, and for other purposes.

The report of the committee, which was unfavorable to the passage of the bill, was disagreed to on motion of Mr. Dunbar of Richmond.

On the passage of the bill the ayes were 106, nays 31.

The bill having received the requisite constitutional majority was passed.

By Mr. Martin of 43d district—

A bill to provide for additional regulations for primary elections, etc.

The following amendments were adopted:

By Mr. Wise—

To amend section 1 by adding at the end thereof the following: "Provided further, that this section shall not have the effect to require a primary for judges and solicitors except in their respective circuits or for members of the General Assembly except in their respective counties or for solicitors except in their counties as authorities of said party may authorize or direct.

By Mr. Perry—

To amend by inserting the word "day," in tenth line of section 1; also,

To amend section 4 by inserting after the words "or filed by them in the office of the clerk of the superior court of the county in which the primary election is held," after word "registration," in line seven.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Flanders,	Perry,
Adams of Elbert,	Flannigan,	Peterson,
Adkins,	Foster,	Powell,
Alexander,	Fraser,	Price of Bartow,
Allen,	Fullbright,	Price of Oconee,
Anderson of Bulloch,	Furr,	Reid of Putnam,
Anderson of Cobb,	Gibson,	Ryals,
Atkinson,	Glenn,	Shaw,
Austin,	Guyton,	Sheffield,
Ballard,	Hamilton,	Simmons,
Barksdale,	Hardeman,	Slade,
Barrow,	Harris,	Smith of Campbell,
Bell,	Heard,	Stephens,
Blackburn,	Hill,	Strickland,
Boyd,	Hines,	Stubbs,
Brown of Carroll,	Holder,	Sumner,
Brown of Oglethorpe,	Huie,	Swilling,
Buchannon,	Hullender,	Taylor of Sumter,
Burkhalter,	Jackson,	Terrell,
Burwell,	Johnson of Towns,	Thorne,
Butt,	Jones of Meriwether,	Thurman,
Callaway,	Keith,	Tift,
Cannon,	Kendall,	Tracy,
Clark,	Kendrick,	Trent,
Clifton,	MacFarland,	Tuggle,
Collum,	McIntyre,	Tyson,
Cook of Telfair,	McMahan,	Walker of Milton,
Cooke of Thomas,	McMullan,	Walker of Wash'ton,
Covington,	McWilliams,	Watkins,
Couch,	Massengale,	White of Screven,
Cowan,	Mays,	Whitley,
Crawford,	Moore,	Wilson,
Daniel,	Mundy,	Wise,
Davison,	Nix,	Wootten,
Dean,	Orr,	Wright of Floyd,
Donalson,	Parker,	Wright of Richmond,
Dykes,	Parrish,	Wynne,
Estes,	Payton,	Young,

Those voting in the negative were Messrs.—

Arnold,	Hall,	Pope of Dade,
Berry,	Lumsden,	

Those not voting were Messrs.—

Adams of Wilkinson,	Fowler,	Morris,
Ashley,	Frier,	Nowell,
Atwater,	Geer,	Odum,
Barrett,	Godley,	Persons,
Bond,	Goode,	Pope of Brooks,
Bowen,	Haywood,	Reid of Macon,
Calbeck,	Howard,	Reid of Wilcox,
Candler,	Hubbard,	Rogers,
Chamlee,	Huff,	Rountree,
Cook of Chat'hoochee,	Johnson of Jasper,	Russell,
Crumbley,	Johnson of Jeff Davis,	Slater,
Culbreth,	Jones of Mitchell,	Smith of Calhoun,
Davis,	Lee,	Stewart,
Dickey,	Lively,	Taylor of Appling,
Dorminy,	Lunsford,	Townsend,
Dunbar,	Matthews,	Walker of Lowndes,
Duggan,	McCarthy,	Ward,
Eaves,	McMichael,	Warnell,
Edmondson,	Martin,	White of Madison,
Edwards,	Maxwell,	Williams,
Ellison,	Mercer,	Mr. Speaker.
Fagan,		

By unanimous consent, the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 114, nays 5.

The bill having received the requisite constitutional majority was passed as amended.

Mr. Wright of Floyd gave notice that at the proper time he would move to reconsider the action of the House in passing the "school book bill."

Mr. Parker, chairman of the Enrollment Committee, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following Act:

An Act to authorize corporations and individuals to construct and maintain dams across non-navigable streams.

By unanimous consent the following bills were read the third time and put upon their passage, to wit:

By Mr. Bush of 8th district—

A bill to amend an Act to incorporate the city of Colquitt.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The resolution having received the requisite constitutional majority was passed.

By Mr. Dobbs of 35th district—

A bill to amend an Act to create a new charter for the city of Atlanta.

The following amendment was adopted:

By Mr. Alexander—

To amend by striking the proviso at end of section 1, and insert the following: "Provided, that so much of

the territory of the town of Edgewood as lies south and southeast of the north and northwest boundary of the right of way of the Georgia Railroad & Electric Company, known as the South Decatur line, shall not be included within the city of Atlanta as provided by the foregoing provisions but shall be and is hereby excluded therefrom.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Hawes of 30th district—

A bill to incorporate the city of Union City.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed.

Mr. Shaw moved that House bill 195 be taken from the table and placed on the calendar, which motion was lost.

By Mr. Dobbs of 35th district—

A bill to repeal an Act to incorporate the town of Battle Hill.



The committee proposed to amend by inserting a new section after section 1, to wit:

"Sec. 1 a. That this Act shall not become effective nor the repeal provided in section 1 of this Act enforced until January 1, 1910, at which time the limits of the city of Atlanta are to be extended so as to include the territory heretofore incorporated as the town of Battle Hill.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Dobbs of 35th district—

A bill to repeal an Act to incorporate the town of Edgewood.

The committee proposed to amend by incorporating a new section after section 1, as follows:

"Sec. 1 a. That this Act shall not become effective nor the repeal provided in section 1 of this Act enforced until January 1, 1909, at which time the limits of the city of Atlanta are to be extended so as to include the territory heretofore incorporated as the town of Edgewood, except a small portion incorporated into the town of Kirkwood."

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 120, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

The undersigned members of the conference committee submitted the following report of amendment to House bill No. 1:

*Mr Speaker.*

The committee appointed by the House to confer with a committee from the Senate as to amendments by the Senate to House bill No. 1, known as the Lobbying bill, beg to report that we met the committee from the Senate and proposed to join in a report recommending that House agree to all amendments by Senate except one, and as to that the House agree to a modification of it, which preserves its spirit.

But the committee from the Senate refused to agree to any thing,

Respectfully,

JAMES TAYLOR,

P. M. ATKINSON,

H. H. PERRY,

Committee.

Leave of absence was granted Mr. Fagan.

On motion of Mr. Blackburn, the House adjourned until 8 o'clock tonight.

3 O'clock P.M.

The House reconvened at this hour and was called to order by the Speaker.

By unanimous consent the call of the roll was dispensed with.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following House bills, to wit:

A bill to incorporate the town of Leon, in Dodge county.

A bill to establish the city court of Danielsville, in the county of Madison.

A bill to repeal an Act to incorporate the town of Bushnell.

A bill to authorize municipal authorities to provide for its municipal prisons.

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Laurens.

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Baldwin.

A bill to amend an Act creating the city court of Floyd county

A bill to incorporate the town of Dixie, in the county of Brooks.

A bill to abolish the city court of Madison county.

A bill to amend an Act to create a board of commissioners of roads and revenues for the county of Telfair.

A bill to incorporate the town of Danielsville, in the county of Madison.

A bill to appropriate \$7,000 to the State Normal School at Athens.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker.*

The Senate has passed, by the requisite constitutional majority, the following House resolutions, to wit:

A resolution to pay Mrs. L. H. Ledsinger for copying pension rolls in the pension office.

A resolution to pay pension to Mrs. Nancy M. Collier, of Harris county, for the year 1908.

The Senate has concurred in the amendment of the House to the following Senate bill, to wit:

A bill to provide additional regulations for primary elections in this State.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following resolution of the House, to wit:

A resolution authorizing payment of pension due Mrs. Queen Shiver of Mitchell county for year 1906.

The Senate has passed, as amended, the following bill of the House, to wit:

A bill to amend the charter of Kirkwood, in the county of DeKalb.

The following bills were taken up for the purpose of agreeing to the Senate amendments, to wit:

By Messrs. Martin, McMullan and Candler—

A bill to appropriate \$25,000 for 1908, and \$50,000 for 1909, for support of Agricultural College at Athens.

The Senate proposed to amend by adding to section 1 the following: "And that (\$5,000) five thousand dollars be appropriated for the branch experiment station, located at Waycross, Ga., for each of the fiscal years of 1908 and 1909, to be used as the directors of the experiment station may see fit"; also to amend by adding to section 1 the following: "And that \$5,000 be appropriated to the Georgia Experiment Station, located at Griffin, Ga., to be used for the purpose of erecting certain buildings on said station." The said amount to be made available for the year 1909."

The House refused to concur in the above amendments.

The following bills were taken up and the Senate amendments concurred in, to wit:

By Mr. Candler of DeKalb—

A resolution authorizing the members of the joint committee to investigate the Prison Department, to meet after the adjournment of the General Assembly, etc.

The Senate proposed to amend by striking the following words: "To file with the Governor all the evidence taken by it, together with its report and findings thereon, and the Governor is hereby requested to lay said report and evidence before the next session of the Legislature held hereafter, with recommendations as he may deem proper," and insert in lieu thereof the following: "To report to the extra session of this General Assembly, which is to be called by the Governor."

By Mr. Candler of DeKalb—

A resolution to pay the expenses of the special joint committee to investigate charges against the Prison Department.

The Senate proposed to amend by adding at the end of the caption the words: "And special joint committee of the House and Senate to investigate certain charges made by John T. Moore of Macon, against members of House and Senate while inspecting convict camp of Macon Brick Company." Also

To amend by adding at end of resolution the words: "Resolved, further, by the authority aforesaid, that the sum of fifteen dollars be, and the same is hereby appropriated to pay the stenographer for reporting and tran-

scribing the evidence adduced before the committee investigating said charges and acting under House and Senate resolution No. 199, the same to be paid on warrant of the Governor, approved by the chairman of said special committee."

The following bill was again taken up and put upon its passage, to wit:

By Mr. Stephens of 1st district—

A bill to provide for the organization of the volunteer military companies of the State, to be known as "Georgia Volunteers."

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Burkhalter,	Fraser,
Adams of Elbert,	Burwell,	Frier,
Adams of Wilkinson,	Butt,	Geer,
Adkins,	Candler,	Gibson,
Alexander,	Covington,	Hall,
Allen,	Cowan,	Hamilton,
Anderson of Bulloch,	Daniel,	Hardeman,
Atkinson,	Davison,	Heard,
Austin,	Donalson,	Hill,
Barksdale,	Dorminy,	Hines,
Barrett,	Dunbar,	Holder,
Barrow,	Duggan,	Huff,
Blackburn,	Eaves,	Jackson,
Boyd,	Ellison,	Johnson of Towns,
Brown of Carroll,	Estes,	Jones of Meriwether
Brown of Oglethorpe,	Flanders,	Lumsden,
Buchannon,	Foster,	MacFarland,

McCarthy,	Price of Oconee,	Townsend,
McIntyre,	Reid of Macon,	Tuggle,
McMahan,	Reid of Wilcox,	Tyson,
McMichael,	Rogers,	Ward,
McMullan,	Russell,	Warnell,
Martin,	Sheffield,	Watkins,
Massengale,	Slade,	White of Screven,
Mays,	Slater,	Whitley,
Mercer,	Stephens,	Wilson,
Moore,	Stewart,	Wise,
Nix,	Strickland,	Wootten,
Parker,	Stubbs,	Wright of Richmond,
Parrish,	Sumner,	Wynne,
Peterson,	Taylor of Sumter,	Young,
Powell,	Thorne,	

Those voting in the negative were Messrs.—

Anderson of Cobb,	Dean,	Orr,
Ballard,	Dickey,	Payton,
Bell,	Dykes,	Pope of Dade,
Berry,	Flannigan,	Rountree,
Calbeck,	Fowler,	Ryals,
Callaway,	Furr,	Shaw,
Cannon,	Glenn,	Simmons,
Chamlee,	Goode,	Smith of Campbell,
Clark,	Guyton,	Swilling,
Clifton,	Huie,	Terrell,
Collum,	Hullender,	Thurman,
Cooke of Thomas,	Johnson of Jeff Davis,	Walker of Milton,
Couch,	Kendall,	Walker of Wash'ton,
Crawford,	Kendrick,	Williams,
Crumbley,	McWilliams,	Wright of Floyd,
Davis,	Mundy,	

Those not voting were Messrs.—

Arnold,	Culbreth,	Haywood,
Ashley,	Edmondson,	Howard,
Atwater,	Edwards,	Hubbard,
Bond,	Fagan,	Johnson of Jasper,
Bowen,	Fullbright,	Jones of Mitchell,
Cook of Chat'hoochee,	Godley,	Keith,
Cook of Telfair,	Harris,	Lee,



Lively,	Perry,	Tift,
Lunsford,	Persons,	Tracy,
Matthews,	Pope of Brooks,	Trent,
Maxwell,	Price of Bartow,	Walker of Lowndes,
Morris,	Reid of Putnam,	White of Madison,
Nowell,	Smith of Calhoun,	Mr. Speaker.
Odum,	Taylor of Appling,	

The roll call was verified, and on counting the vote it was found that the ayes were 95, nays 47.

The bill having received the requisite constitutional majority was passed as amended.

By Mr. Deen of 5th district—

A bill to amend section 2181, volume 2 of the Code.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 55, nays 40.

The bill having failed to receive the requisite constitutional majority was lost.

The following resolution favorably reported by the Committee on Rules, was adopted, to wit:

By Mr. Ryals—

A resolution to make Senate bill No. 188 a special order.

By Mr. Felder of 22d district—

A bill to quiet the title to real estate in Georgia held under foreign wills.

The following amendments were adopted, to wit:

By Mr. Dean—

To amend by adding at end of section 2, “or hereafter pending.”

The committee proposed to amend section 1 by striking out the words, “without being probated” in line 12, and inserting after word “title” in line 9 the words, “without being probated in this State.”

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to.

On the passage of the bill the ayes were 105, nays 1.

The bill having received the requisite constitutional majority was passed as amended.

Mr. Candler moved that the House insist upon its disagreement to the amendment to House bill No. 1080, known as the “Appropriation bill for support of Agricultural College,” and the Speaker appointed the following committee of conference, to wit:

Messrs. Wise, Burwell and McMullan.

Mr. Hall, vice-chairman of the Committee on Rules, submitted the following report:

*Mr Speaker:*

The Committee on Rules reports resolution No. 357 with a recommendation that it do pass, as instructed by the House.

Respectfully submitted,

JOSEPH H. HALL, Vice-Chairman.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate insists upon its amendments to the following bill of the House, to wit:

A bill to appropriate \$25,000 for 1908, and \$50,000 for year 1909 to the University of Georgia for support and maintenance of the State College of Agriculture at Athens.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, as amended, by the requisite two-thirds constitutional majority, the following bill of the House, to wit:

A bill to amend article 7, section 1, paragraph 1 of the Constitution of Georgia relative to payment of pensions.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the House amendment to the following bill of the Senate, to wit:

A bill to provide for the organization of volunteer military companies to be known as "Georgia Volunteers."

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The President of the Senate has appointed as a conference committee, Senators Dobbs, Howard and Hawes on the following House bill, to wit:

A bill to make appropriations for the year 1908 and 1909 for support and maintenance of the College of Agriculture at Athens.

The following bill, which was lost and reconsidered, was again taken up and put upon its passage, to wit:

By Mr. Overstreet of 17th district—.

A bill to regulate the publication of all legal advertisements in certain counties.

The favorable report of the committee was agreed to.

On the passage of the bill the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs.—

Adams of Chatham,	Barrow,	Clifton,
Adams of Elbert,	Berry,	Cooke of Thomas,
Adams of Wilkinson,	Blackburn,	Covington,
Alexander,	Boyd,	Daniel,
Allen,	Brown of Oglethorpe.	Davison,
Anderson of Bulloch,	Buchannon,	Dickey,
Anderson of Cobb,	Burkhalter,	Dorminy,
Arnold,	Burwell,	Dykes,
Atkinson,	Butt,	Eaves,
Austin,	Callaway,	Estes,
Ballard,	Candler,	Flanders,
Barksdale,	Chamlee,	Flannigan,

Foster,	McIntyre,	Slater,
Fraser,	McMahan,	Stephens,
Frier,	McMichael,	Stewart,
Gibson,	McMullan,	Strickland,
Glenn,	McWilliams,	Sumner,
Goode,	Martin,	Taylor of Sumter,
Guyton,	Massengale,	Thorne,
Hamilton,	Mercer,	Thurman,
Hardeman,	Moore,	Tyson,
Hill,	Mundy,	Walker of Wash'ton,
Hines,	Nix,	Ward,
Holder,	Parker,	Warnell,
Huff,	Parrish,	Watkins,
Huie,	Peterson,	White of Madison,
Hullender,	Powell,	White of Screven,
Jackson,	Price of Oconee,	Whitley,
Johnson of Jeff Davis,	Reid of Wilcox,	Williams,
Johnson of Towns,	Rountree,	Wilson,
Jones of Meriwether,	Ryals,	Wright of Floyd,
Kendall,	Shaw,	Wright of Richmond,
Kendrick,	Sheffield,	Wynne,
MacFarland,	Simmons,	Young,
McCarthy,	Slade,	

Those voting in the negative were Messrs.—

Adkins,	Ellison,	Pope of Dade,
Brown of Carroll,	Hall,	Smith of Campbell,
Calbeck,	Heard,	Stubbs,
Clark,	Lumsden,	Swilling,
Crawford,	Orr,	Townsend,
Davis,	Perry,	Walker of Milton,
Edmondson,		

Those not voting were Messrs.—

Ashley,	Cook of Chat'hoochee,	Dunbar,
Atwater,	Cook of Telfair,	Duggan,
Barrett,	Couch,	Edwards,
Bell,	Cowan,	Fagan,
Bond,	Crumbley,	Fowler,
Bowen,	Culbreth,	Fullbright,
Cannon,	Dean,	Furr,
Collum,	Donalson,	Geer,

Godley,	Maxwell,	Russell,
Harris,	Mays,	Smith of Calhoun,
Haywood.	Morris,	Taylor of Appling,
Howard,	Nowell,	Terrell,
Hubbard,	Odum,	Tift,
Johnson of Jasper,	Payton,	Tracy,
Jones of Mitchell,	Persons,	Trent,
Keith,	Pope of Brooks,	Tuggle,
Lee,	Price of Bartow,	Walker of Lowndes,
Lively,	Reid of Macon,	Wise,
Lunsford,	Reid of Putnam,	Wootten,
Matthews,	Rogers,	Mr. Speaker.

By unanimous consent the verification of the roll call was dispensed with.

On the passage of the bill the ayes were 104, nays 20.

The bill having received the requisite constitutional majority was passed.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the House amendment to the following bill of the Senate, to wit:

A bill to quiet title to real estate in Georgia held under foreign wills.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate insists upon its amendments to the following House bill, to wit:

A bill to appropriate certain money for years 1908 and 1909 to the University of Georgia for the support of the State College of Agriculture.

And the President of the Senate appoints as a new conference committee on said bill:

Senators Taylor, Peacock and Deen.

Mr. Hall of Bibb, vice-chairman of the Committee on Rules, submitted the following reports:

*Mr. Speaker:*

Your Committee on Rules has had under consideration House resolution No. 358 and instructs me to report same back with the recommendation that it be adopted.

Respectfully submitted,

JOSEPH H. HALL, Vice-Chairman.

The following resolutions, favorably reported by the Committee on Rules, were adopted, to wit:

By Mr. Foster of Cobb—

A resolution to make House bill No. 69 an immediate special order.

By Mr. Burkhalter—

A resolution to make Senate bill No. 238 an immediate special order.

The undersigned members of the Conference Committee on House bill No. 1080, submitted the following report:

*Mr. Speaker:*

Your Committee on Conference on House bill No. 1080 beg leave to submit the following report:

Your committee on part of the House met the conference committee on part of the Senate and said committees were unable to agree. We therefore ask to be discharged and that another conference committee be appointed.

Respectfully submitted.

J. W. WISE,

W. H. BURWELL,

A. J. McMULLAN,

Committee on Part of House.

The above committee of conference was discharged and the following new committee of conference was appointed on amendments to House bill 1080, to wit: Messrs. Candler, Alexander, Hall.

The following special order was taken up and the Senate amendment concurred in, to wit:

By Mr. Foster of Cobb—

A bill to amend article 7, section 1, paragraph 1, of the Constitution relative to payment of pensions.

The Senate proposed to amend section 1 by striking the words: "Provided the provisions of this Act shall not extend to any soldier whose property exceeds \$1,000 or whose income is more than \$300 per year, which occurs



between the words, "constitutional amendment," in line 31, and "no less," in line 33.

The following Senate bills were taken up, read the third time and put upon their passage:

By Mr. Gordy of 24th district—

A bill to fix the number of days' work required of persons subject to road duty.

The substitute proposed by the committee was adopted.

The report of the committee, which was favorable to the passage of the bill as amended, was agreed to..

On the passage of the bill the ayes were 94, nays 0.

The bill having received the requisite constitutional majority was passed as amended.

By unanimous consent the following bill was taken up and the Senate amendment concurred in, to wit:

By Mr. Davison—

A resolution for the relief of J. W. Turner.

The Senate proposed to amend by striking from line 7 of the last paragraph the words "fine and forfeiture," and insert in lieu thereof the words "county treasury."

By Mr. White of Screven—

A bill to establish a system of public schools for the town of Sylvania.

The Senate proposed to amend section 3 by striking

the name of J. W Powell and insert the name of S. F Cooper; also,

To amend section 3 by inserting at the end of line 12, "any member of said board so elected by said mayor and council to fill a vacancy shall only hold his office until the first Thursday in the following January, at which time such vacancy shall be filled by an election for the vacancy to be filled at that time by a retiring member whose term expires on such first Thursday; also,

To amend by striking all of the words of section 7 and inserting in lieu thereof the following: Section 7 It shall be the duty of the board of education of Screven county or the county school commissioner of said county to annually turn over to the board of education of the residing in the city of Sylvania entitled to the school fund to which said city shall be entitled. The amount so turned over shall be in the same proportion to the entire school fund of Screven county that the number of pupils residing in the city of Sylvania entitled to the school fund shall bear to the entire number of pupils residing in all of Screven county entitled to said school fund. This ratio and proportion shall be ascertained by the census taken each four years by the board of education of Screven county as at present provided by law or as may hereafter be provided by law. And said board of education of Screven county is hereby required to so take said census as to be able to properly arrive at the number of pupils residing in the city of Sylvania as well as those residing in all of Screven county; also,

To amend section 12 by striking out of said section all of lines 22, 23, 24, 25, 26 and 31.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate recedes from its action in the passage by substitute of the following House bill, to wit:

A bill to require railway companies to equip locomotives with electric headlights.

The following resolution was read and adopted unanimously to wit:

By Mr. Adams of Chatham—

A resolution requesting the Speaker to furnish a portrait of himself to be hung in the House of Representatives.

The undersigned members of the committee of conference on House bill No. 1080 submitted the following report:

*Mr Speaker:*

The conference committee on the part of the House on House bill No. 1080 reports that it has been unable to reach an agreement with the Senate committee.

CANDLER of DeKalb,  
HALL of Bibb.  
ALEXANDER of DeKalb.

By Mr. Camp of 31st district—

A bill to authorize the Governor to purchase site for a union station in Chattanooga.

The House reported the following substitute for the above Senate bill:

“A bill to be entitled an Act to authorize and empower the Governor to ascertain what lands in or near Chattanooga are desirable and available for terminal purposes for the Western & Atlantic Railroad, either for switching or delivery purposes, and for what price the same can be purchased and to procure options thereon for the benefit of the State if in his discretion advantageous terms can be obtained.

Sectin 1. Be it enacted by the General Assembly, That the Governor be and he is hereby authorized and empowered to ascertain what lands in or near the city of Chattanooga are desirable and available for terminal purposes for the Western & Atlantic Railroad, either for switching or delivery purposes, and for what price the same can be purchased and to procure options thereon for the benefit of the State, if in his discretion advantageous terms can be obtained.

Sec. 2. Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the pasage of the bill the ayes were 105, nays 0,

The bill having received the requisite constitutional majority was passed by substitute.

Mr. Candler, chairman pro tem. of the Committee on Rules, submitted the following report:

*Mr. Speaker:*

Your Committee on Rules has had under consideration House resolutions 360 and 361 and recommend that same do pass.

CANDLER, Chairman pro tem.

The following resolution was read and adopted, to wit:

By Mr. Chamlee—

A resolution to make Senate bill No. 93 a special order.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the substitute of the House to the following Senate bill, to wit:

A bill to authorize the Governor to contract for certain tract of land in Chattanooga, Tenn.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

I am instructed to inform the House that the Senate has finished all business before it and is ready to adjourn.

Mr. Parker, chairman of the Enrollment Committee, submitted the following report:

*Mr. Speaker.*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following Acts, to wit:

An Act to repeal an Act establishing the city court of Barnesville, in the city of Barnesville, Pike county.

An Act to create a board of commissioners of roads and revenues for Turner county.

An Act to authorize the city of West Point, Troup county, to grant to the A. & W Railroad and the W of A. Railroad the right to use part of Bridge street in said city.

An Act to prescribe the manner in which real estate belonging to Emanuel county may be sold.

An Act authorizing the mayor and aldermen in the town of Calhoun, in Gordon county, to sell a part of the John P King park.

An Act to increase the salary of the State Entomologist

An Act to amend the Act incorporating the town of Pelham.

An Act to appropriate \$30,000 to the University of Georgia.

An Act to amend the Act creating the city court of Douglas.

An Act to amend an Act to make appropriations for

the ordinary expenses of the executive, legislative and judicial departments of the State government.

An Act to amend the charter of Hogansville, in Troup county.

An Act to change the time of holding the superior court of Tift county.

An Act to require certain candidates to publish a statement of the campaign expenses.

An Act to amend an Act creating a charter for College Park.

An Act to incorporate the town of Forest Park.

An Act to authorize the municipal authorities of certain cities to provide for their municipal prisoners.

An Act to exempt police and firemen from the general exclusion from free passes.

An Act to establish a public school system for the town of Spread.

An Act to amend an Act to increase the membership of the Railroad Commission of Georgia.

An Act to amend the special Act for Henry county, providing for cleaning the running streams from obstructions.

An Act to authorize DeKalb county to issue bonds.

An Act to provide for an examination into the affairs of the dispensary at Blakely

An Act to amend section 982 of volume 1 of Code of 1895.

An Act to amend an Act establishing a system of public schools in Lumber City.

An Act to amend an Act incorporating the town of Temple.

An Act to establish the city court of Franklin, Heard county.

An Act to amend an Act providing for the creation of a board of commissioners of roads and revenues in Telfair county.

An Act to prohibit the catching of shad or other fish with driftnets.

An Act to change the number of county commissioners of Newton county.

An Act to create a State board of veterinary examiners in the State of Georgia.

An Act to abolish the Dawson water and light commission.

An Act to provide for the election of judge and solicitor for the city court of Sandersville.

An Act to amend an Act incorporating the city of Valdosta.

An Act to prohibit contributions by corporations or their officers or agents to campaign funds.



An Act to amend an Act creating a board of commissioners of roads and revenues in the county of Randolph.

A Act to amend an Act creating the city court of Sparta.

An Act to provide for the rejection, assessment and arbitration in the case of tax returns by railroad companies for county, municipal and public school purposes

•An Act to amend an Act establishing the city court of Newnan.

An Act to appropriate \$5,000 to the Confederate Soldiers' Home of Georgia.

An Act to amend an Act approved August 22, 1905.

An Act to amend an Act creating a charter for College Park.

The Committee on Enrollment has examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following resolutions, to wit:

A resolution to pay pension of Peter Currens, deceased, of Heard county, to his widow, Sarah Currens, for the year 1906.

A resolution to memorialize Congress in reference to the survey of the canal.

A resolution to furnish Georgia Reports to DeKalb county

A resolution to pay pension to Mrs. Nancy M. Collier, a citizen of Harris county, for the year 1908.

A resolution to pay the sum of \$50 to George M. Brinson.

A resolution to pay the pension of John M. Surrency to his widow, Mrs. Elizabeth Surrency.

A resolution to put the name of Mrs. Lucy Lockhart of Williamson county, on the pension roll for 1906.

A resolution to pay to Mrs. G. Houser the per diem for this session of the Legislature that would have been earned by G. Houser, former doorkeeper of the House of Representatives.

A resolution to provide for the finishing up of the business of the General Assembly.

A resolution to pay pension to widow of Frank Johnson.

A resolution to pay pension to Mrs. S F. Crane for 1907.

A resolution to pay pension to Mrs. McDougald, a citizen of Gordon county, for 1908.

A resolution for the relief of Mrs. Tallulah Towns, of Fulton county.

A resolution to pay unpaid pensions to Mrs. Louisa L. Hodges.

A resolution to pay pension of Mrs. E. J. Coker, deceased, to A. M. Johnson.

A resolution to pay or authorize the payment of pension of Thos. H. Greer, deceased, to his widow, Mary N. Greer.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the substitute of the House to the following bill of the Senate, to wit:

A bill to repeal an Act fixing the number of days work required of persons subject to road duty in counties having cities of a population of not less than 17,000 nor more than 20,000 population.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has passed, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to prescribe the duty of electric telegraph companies as to receiving and transmitting despatches and messages.

A bill to authorize the re-recording of deeds, mortgages and other liens in a county different from that in which the land was situated at the time of the original record.

A bill to amend an Act to prevent the adulteration of foods, and or other purposes.

A bill to appropriate \$5,000 to the Confederate Soldiers' Home of Georgia.

A bill to exempt police and firemen of cities, by the city's request, from the general exclusion from free passes.

A bill to appropriate \$2,000 for improving the State's property at Indian Springs.

A bill to appropriate \$5,000 for maintenance and use of the State Board of Health.

A bill to amend an Act creating the city court of Sylvania.

A bill to supplement the appropriations made under the general appropriation Act of 1907 for salaries and other expenses of the Railroad Commission.

A bill to amend an Act to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the government.

A bill to provide how and when pensions due Confederate soldiers shall be paid.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker:*

The Senate has passed, by the requisite constitutional majority, the following resolutions of the House, to wit:

A resolution for the relief of L. B. Riser, H. B. Sil-

vess, Hardy C. Cunningham, R. G. Prowder, Sanders Frain and L. Mell, of Chatham county.

A resolution to pay Mrs. G. Houser the per diem of her husband, G. Houser, former doorkeeper of the House of Representatives.

A resolution to pay pension of F. M. Rice to W. A. Mitchell.

A resolution appropriating \$60 for payment of pension to W. J. Stanford, of Forsyth county.

A resolution to pay the sum of \$50 to Geo. M. Brunson.

A resolution to pay a pension to Mrs. Mary Blackstock.

A resolution for relief of Mrs. Tallulah Towns, of the county of Fulton.

A resolution to furnish Georgia Reports to DeKalb county.

A resolution to pay Mrs. O. M. Case for dwelling house burned by convicts on State prison farm.

The Senate has refused to pass, by the requisite constitutional majority, the following bills of the House, to wit:

A bill to amend an Act to levy and collect a tax for support of State government.

A bill to amend section 2334 of the Civil Code of 1895.

Mr. Parker, chairman of the Enrollment Committee, submitted the following report:

*Mr. Speaker:*

Your Committee on Enrollment beg to report the following Act as examined, properly enrolled, duly signed and ready for delivery to the Governor:

House resolution 297, to pay the expenses of the special joint committee of the Senate and House to investigate certain charges relative to the administration of the prison department.

Mr. Parker, chairman of the Committee on Enrollment, submitted the following report:

*Mr Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor, the following Acts, to wit:

An Act to create the office of commissioner of roads and revenues for Carroll county.

An Act to establish the city court of Blakely.

An Act to authorize the mayor and council of Byroms-ville to issue and sell bond.

An Act to provide for the removal of obstructions from rivers, creeks and running streams in Rockdale county.

An Act to amend an Act incorporating the town of Barwick.

An Act to prohibit the sale of "Bud beer," or "near-beer," in Campbell county.

An Act to amend the charter of the city of Griffin.

An Act to provide for the marking out, defining and reestablishing the county lines of certain counties of this State.

An Act to amend section 4200, volume 2, of the Code of 1895.

An Act to establish a local school system for the town of Bartow.

An Act to authorize the re-recording of deeds, mortgages and other liens on lands that are in counties different from the one at time of recording.

An Act to repeal an Act creating a board of commissioners of roads and revenues for Burke county.

An Act to amend article 7, section 1, paragraph 1, of the Constitution of Georgia relative to payment of pensions.

An Act to authorize the city of Rome to maintain a hospital.

An Act to amend an Act creating the city court of Buford.

An Act to appropriate money for the support of the State agricultural colleges, experiment station, and for other purposes.

An Act to instruct trustees of the University of Geor-

gia to convey realty to the board of education of Thomasville.

An Act to authorize the Governor to appoint a third State depository in the city of Atlanta.

An Act to repeal an Act incorporating the town of Culverton, Hancock county.

An Act to amend an Act incorporating the town of Junction City.

An Act to amend the charter of Cusseta, Chattahoochee county.

An Act to extend the corporate limits of Carrollton.

An Act to establish the county court of Clinch county.

An Act to amend an Act creating a board of commissioners of roads and revenues in Dodge county.

An Act to incorporate the town of Cedar Grove, Laurens county.

An Act to supplement and increase the appropriations, made under the appropriation Act of 1907, for salaries and other expenses of Railroad Commission of Georgia.

An Act to incorporate the town of Blairsville.

An Act to abolish the board of commissioners of roads and revenues in and for Hart county.

An Act to amend the county court Act.

An Act to amend an Act incorporating the town of Hoschton.



An Act to provide how and in what way pensions due to the Confederate soldiers by the State under existing laws shall be paid.

An Act to authorize the trustees of the Confederate Soldiers' Home of Georgia to sell certain real estate.

An Act to amend the charter of the city of Norcross, Gwinnett county.

An Act to create a public school system for Lithonia.

An Act to repeal an Act incorporating the town of Ellijay.

An Act to amend an Act creating the city court of Sylvania.

An Act to amend section 982, Code of Georgia 1895, so as to add Comer to the list of State depositories.

An Act to repeal an Act amending an Act establishing the city court of Eastman.

An Act proposing an amendment to the Constitution by adding at the end of section 6, article 7, "to pay the county police and to provide for necessary sanitation."

An Act to establish a board for the examination of accountants.

An Act to change the time of holding the superior court of Glascock county.

An Act to incorporate the town of Vidette, Burke county.

An Act to prescribe the duty of the electric telegraph companies as to receiving and transmitting dispatches and messages.

An Act to amend the charter of McDonough.

An Act to create a county police force for Chatham county.

An Act to amend the charter of the town of Ochlocknee, Thomas county.

An Act to amend an Act creating the board of commissioners of roads and revenues in Laurens county.

An Act to amend an Act incorporating the town of Norwood.

An Act to amend section 982 of volume 1 of the Code of Georgia of 1895, so as to add Senoia to the list of State depositories.

An Act to amend an Act establishing the city court of Ashburn, Turner county.

An Act to incorporate the town of Williamson.

An Act to provide for the collection of past due taxes to the State.

An Act to amend an Act incorporating the city of Brunswick.

An Act to incorporate the town of Primrose.

An Act to amend an Act creating the city court of Monticello.

An Act to establish and organize a sanitarium for the treatment of tuberculosis.

An Act to authorize the city of West Point to close up Bridge street in said city.

An Act to amend an Act creating the city court of Floyd county.

An Act to amend an Act amending an Act creating the city court of Tifton.

The committee on enrollment has also examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following resolutions, to wit:

A resolution to provide for the payment of \$54.16 to W. A. McAlister.

A resolution to return to Laura Daniel, widow of Carroll Daniel, the amount received by the State of Georgia for work done by him in the penitentiary.

A resolution to pay pension of F. M. Rice to W. A. Mitchell.

A resolution for meetings of the committee of the General Assembly to investigate the prison commission.

A resolution to authorize the county authorities of Dade county to release sureties on bond of John M. Castleberry.

A resolution for the relief of L. B. Riser, H. P. Silvers, Hardy C. Cunningham, R. G. Prowder, Sanders Frain and L. Mell.

A resolution to pay pension to Mrs. Mary Blackstock.

A resolution to pay Mrs. O. M. Case for dwelling house burned by State convicts.

Mr. Parker, chairman of the Enrollment Committee, submitted the following report:

*Mr. Speaker:*

The Committee on Enrollment have examined and report as properly enrolled, duly signed and ready for delivery to the Governor the following Acts, to wit:

An Act to incorporate the town of Buchanan.

An Act to incorporate the town of Franklin.

An Act to create the city court of Danielsville.

An Act to create a new charter for Ellijay.

An Act to create a charter for the town of Iron City.

An Act to create the city court of St. Mary's.

An Act to amend the charter of Jonesboro.

An Act to amend the charter of the city of Winder.

An Act to amend an Act to prevent the adulteration of foods.

An Act to appropriate \$2,000 to improve Indian Spring.

An Act to abolish the city court of Madison county.

An Act to require railroad companies to equip locomotives with electric headlights.

An Act to amend the charter of College Park.

An Act to amend the charter of Adel.

An Act to change the corporate limits of Adel.

An Act to provide a method for taking depositions in certain cases.

An Act to repeal an Act to incorporate the town of Bushnell.

An Act to appropriate \$7,000 for State Normal School.

An Act to amend Act creating county commissioners for Baldwin county.

An Act to create system of schools for Sylvania.

An Act to incorporate the town of Between.

An Act to amend the charter of Fairburn.

An Act to amend Act to incorporate Fitzgerald.

An Act to create a system of schools for Mansfield.

An Act to amend an Act amending charter of Atlanta.

An Act to make it a misdemeanor to charge more than 5 per cent. per month on loans.

An Act to permit superior court judges in certain counties to appoint special bailiffs.

An Act to regulate the running log carts, etc., over roads and bridges of Brooks county.

An Act to incorporate the town of Williamsville.

An Act to amend an Act to incorporate Bowersville.

An Act to amend an Act creating the office of commissioner of roads and revenues for Greene county.

An Act to amend the charter of East Point.

An Act to incorporate the town of Gratis.

An Act to appropriate money for the support of State sanitarium for 1908-1909.

An Act to amend the charter of Kirkwood.

An Act to prohibit unauthorized persons from running railroad locomotives.

An Act to amend an Act to appropriate money for the support of the State government.

An Act to incorporate the town of Dixie.

An Act to create a board of commissioners for Baker county.

An Act to appropriate \$7,671.76 for Georgia Normal and Industrial College.

An Act to amend the charter of Athens.

An Act to incorporate the town of Leon.

An Act to create the office of commissioner of roads and revenues for Hart county.

An Act to create the office of commissioner of roads and revenues for the county of Cherokee.

An Act to incorporate the town of Rockledge.

An Act to incorporate the town of Woodbine.

An Act to incorporate the city of Danielsville.

An Act to appropriate \$5,000 for the maintenance of board of health.

An Act to abolish the county court of Henry county.

An Act to incorporate the town of Chamlee.

Also the following resolutions of the House, to wit:

A resolution to pay Mrs. L. H. Ledsinger for copying pension rolls.

A resolution to appropriate \$5,000 to improve Resaca cemetery.

A resolution for the relief of J. W. Turner.

A resolution to pay pension of W. J. Stanford.

A resolution for the relief of A. M. Hutchinson.

A resolution to pay pension to Mrs. Queen Shivers.

Mr. Candler of DeKalb moved that the House **recede** from its non-concurrence in the Senate amendment to

House bill No. 1080, which motion prevailed, and the House then concurred in the said amendment.

The following resolution was read and adopted, to wit:

By Mr. Candler—

A resolution notifying the Senate that the House is ready to adjourn sine die.

The Speaker announced the House adjourned sine die.





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**HOUSE JOURNAL**

**FOR THE**

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On motion of Mr. Wise of Fayette Senate bill No. 240 was ordered immediately transmitted to the Senate.

By Messrs. Candler, Atkinson, et al.—

A bill to amend an Act to make appropriation for ordinary expenses of the State government.

The Senate proposed to amend by adding the following: "Sec. 3: That the following amounts be appropriated to the persons, and for the purposes herein set out.

1. To pay the secretary of the Senate and clerk of the House of Representatives for preparing and mailing to the members of the Senate and of the House of Representatives the pamphlets showing the status of the unfinished business of the session of 1907, the sum of \$50 to the Secretary of the Senate, and \$75 to the Clerk of the House of Representatives, these amounts to be paid on the warrant of the Governor on the Treasury of this State.

2. To pay for lithia water furnished under resolution of the Senate to the Senate during the session of 1908, the sum of \$33.75, to be paid to Hon. Philip Cook, Secretary of State, upon the warrant of the Governor on the Treasury of this State.

3. The sum of \$200, or so much thereof as may be necessary to pay for the additional assistant doorkeeper for the Senate for the session of 1908, as provided by resolution of the Senate, to be paid as other doorkeepers are paid.

The above amendments were concurred in.

By Messrs. Alexander and Candler—

A bill to amend the charter of Kirkwood, in DeKalb county, and for other purposes.

The Senate proposes to amend as follows, which was adopted, to wit:

To amend by striking from section 1 the words: "On the right of way of the Georgia Railway and Electric Company on the south side of said company's right of way, where the western limits of said town intersect said right of way near the bridge on said right of way, and extending along said right of way," and substituting in place thereof the words: "On the north side of the right of way of the Georgia Railway and Electric Company, where the western limits of said town intersect said right of way near the bridge on said right of way, and extending along the same side of said right of way."

To amend by inserting the words, "north and southwest line of the" between the words, "south and southeast of the," and the words, "right of way of the Georgia Railway and Electric Company," where the same occur in the caption.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr Speaker.*

The Senate has passed, as amended, by the requisite constitutional majority, the following House bill:

A bill to establish a system of public schools for the city of Sylvania, in the county of Screven.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in the amendments of the House to the following Senate bills, to wit:

A bill to amend the charter of the city of Atlanta.

A bill to repeal an Act to incorporate the town of Battle Hill, in the county of Fulton.

A bill to repeal an Act to incorporate the town of Edgewood, in the county of DeKalb.

The following message was received from the Senate, through Mr. Northen, Secretary thereof:

*Mr. Speaker:*

The Senate has concurred in, as amended, the following resolutions of the House, to wit:

A resolution providing for meetings of the joint committee on investigation of the Prison Commission.

A resolution to pay the expenses of the special joint committee of Senate and House to investigate certain charges against administration of Prison Department.

By unanimous consent the following Senate bills were read the third time and put upon their passage, to wit:

By Mr. Wilkes of 7th district—

A bill to amend section 492 of the Penal Code of 1895.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill the ayes were 111, nays 2.

The bill having received the requisite constitutional majority was passed.

By Mr. Felts of 19th district—

A bill to amend section 4732 of the Code relative to garnishment laws.

On motion of Mr. Sheffield the above bill was tabled.

By Mr. Stephens of 1st district—

A bill to provide for the organization, etc., of the volunteer military companies of the State to be known as "Georgia Volunteers."

The following amendments were offered, to wit:

By Mr. Barrow—

To amend section 2 by inserting after the word "bodied," and before the word "male" the word "white;" also,

To amend section 4 by striking from the end thereof the words, "but shall in no event be subject to be ordered into the service of the United States." Also

To amend section 5 by striking from the end of said section the words, "and such volunteer organizations shall share proportionately with the National Guard of Georgia any monies appropriated by this State for the

benefit of the organized militia," and by inserting in lieu thereof the following words: "The Governor is authorized from the military fund appropriated by this State to defray the expenses incident to any service which he may require of such organization."

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill the ayes were 84, nays 33.

The bill having failed to receive the requisite constitutional majority was lost.

On motion of Mr. Barrow the House reconsidered its action in not passing the above bill.

The undersigned members of the Committee on Military Affairs submitted the following minority report to the preceding bill:

*Mr. Speaker:*

The Committee on Military Affairs has had under consideration Senate bill No. 196, being a bill to establish additional military forces in the State of Georgia, known as Georgia Volunteers, and on July 30 recommended that same do pass.

We, the undersigned members of the Committee on Military Affairs, submit this minority report on said bill, and recommend that the same do not pass for the following reasons:

1. The National Guard of Georgia, as at present organized, is better equipped, officered, organized and dis-

ciplined and more efficient than ever before in the history of the State.

2. The proposed bill creates a new, separate and additional organization which will share proportionately with the present organization all State appropriations, thus creating extra burdens upon the State for support and maintenance, and lessening the appropriation now made to the National Guard.

3. If such new organization be added, with loose organization and little or no discipline, it will necessarily lessen the discipline and efficiency of the present organization.

4. The Government of the United States has appropriated this year \$127,000 to the support of the Georgia troops, and during the last five years approximately \$400,000. Should this bill pass there is grave danger of the States having its past appropriations taken away and all intended future appropriations cut off.

Respectfully,

CLAUDE C. SMITH,  
CLARENCE T. GUYTON,  
EMMETT R. SHAW,  
MELVIN BEAN,  
JOSEPH D. BOYD,  
G. OGDEN PERSONS,  
H. S. LEE,  
W W DYKES,  
W W WILSON,  
J. Z. FOSTER,  
B. J. FOWLER.